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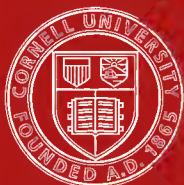
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# THE BOOK OF PARLIAMENT



THE  
BOOK OF PARLIAMENT

BY

MICHAEL MACDONAGH

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HISTORICAL STUDY"

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## PREFACE

I DESIRE to say a few words in explanation of the aim and scope of this work. Of books about Parliament there is no lack. There are many Constitutional Histories, written by erudite historians and philosophic students of institutions, and also several legal textbooks compiled by learned lawyers. "The Book of Parliament," however, does not aspire to be classed with grave and profound treatises on Parliamentary government, or ponderous repositories of the technicalities of Parliamentary law and procedure. But there has hitherto been no complete picture of the two Houses of the Legislature engaged in the work of law-making, and my aim in writing this book has been to provide such a view of what I may call the human side of Parliament.

I trace the progress of a Parliament from the General Election, when it is constituted by the votes of the people, until the day the Sovereign, on the advice of the Cabinet, pronounces the sentence of its dissolution. I describe the framework of the Legislature, the machinery by which it is worked, its chief officers, its ceremonies, usages, and customs—quaint, old-world, and impressive—its curious contrasts of dread solemnity and light-hearted

gaiety ; the forces which move it and direct its course ; how Administrations are made ; the duties of Ministers ; the pleasures and woes of members of Parliament ; how Public and Private Bills are passed ; how Supplies are voted ; the mode in which the proceedings of both Houses are reported for the newspapers ; and the varied elements, aspects, and humours of Parliament, whether it be regarded as the historic temple of British liberties—with its sacred memories and its heart-stirring associations ; the scene of glorious achievements in oratory and statesmanship ; the place where questions affecting the well-being of the community are determined ; or the field upon which the great and exciting duel between Parties is fought at close quarters.

I have made some excursions into the domain of history. That, of course, was inevitable in writing about Parliament, whose roots lie so deep in the mighty past. But I have avoided as much as possible the broad beaten tracks of history ; and have turned down unfrequented and little-trodden byways in search of fresh and apt anecdotes to enliven and illustrate and confirm my descriptions of the present work-a-day aspects of Parliament. My chief purpose has been to make the book entertaining and instructive to the general reader—to the millions of men and women of all sorts and conditions in this world-wide Empire of which Parliament is the supreme ruler. But I trust the book will also be found useful to members of Parliament, lawyers, journalists, students of Constitutional history—to all,



in fact, who are brought by profession or study into close relations with the Legislature.

The book is the fruit of nearly ten years' first-hand observation of the working of both Houses of Parliament, as a descriptive writer and reporter, and of a close study of their history, traditions, laws, and procedure. Some of the chapters have appeared as articles in *Good Words*, *Chambers's Journal*, *Temple Bar*, *The Nineteenth Century*, and *Macmillan's Magazine*; and for permission to reproduce them, I am indebted to the editors of these magazines.

MICHAEL MACDONAGH.

LONDON, *February* 1897.



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## CHAPTER I

### WOOING THE ELECTORS

At the General Election is witnessed the old, familiar, but ever curious and interesting spectacle, of at least a thousand gentlemen of all sorts and conditions, engaged in wooing the electors of the constituencies which have at their disposal the 670 seats of the House of Commons.

But in addition to this local wooing, conducted in each constituency by the candidates, their agents and their active partisans, during the election, there is the general work, or the work of educating political opinion in the country as a whole, and of organising it in the interest of party, which is managed from the headquarters of the great central party organisations in London, such as the National Conservative Union, and the National Liberal Federation, and which goes on unceasingly from year to year, no matter what party may be "in" or what party may be "out," or how remote may be the prospect of a General Election. This modern mode of wooing the electors by means of the caucus—as the machinery for promoting party interests in the constituencies is called—used to be regarded in this country not very long ago with disfavour and suspicion by constitutional purists and pedants. It was said that under this system—an importation from the United

States—the free and independent expression of the opinion and will of the electorate was impossible. Local initiative and local independence were crushed out of existence. The electors became a passive, unthinking mass in the hands of able and not too scrupulous organisers, and voted as they were directed from headquarters. But these sombre views of the methods and results of the caucus are no longer entertained. Government by party, or the administration of the affairs of the State in accordance with the political principles entertained by the majority of the electorate as shown by the composition of the House of Commons after a General Election, is an integral part of our Constitution; and it is now generally recognised that no party can hope to effect its object—to obtain control of the machinery of government—in these days of a democratic franchise, unless it possesses a powerful organisation to educate the voters in its political principles and policy, to make itself acquainted with the wants and aspirations of the people, and to drill its followers for the great battle for supremacy in the House of Commons which is waged at the General Election.

This machinery is adequately supplied by the two great rival political organisations. Their methods of propagandism are practically similar. The basis of each is the affiliated branches in every polling district. Each branch sends a representative to the council of the constituency; the chairmen and two members of these local councils, together with the principal legal party agent in each constituency, form the council of the county or of the borough. This in its turn elects three members to serve with its chairman upon the central council,

which, with the aid of a big "war chest" mainly supplied by the donations of rich members of the party, exercises all executive powers.

The respective headquarters in London of the National Liberal Federation and the National Conservative Union are, as may be imagined, busy centres during the General Election. In electioneering, as in military campaigning, good generalship at headquarters is of paramount importance. Large additional staffs of officials are, therefore, engaged at both offices all day, and all night too very often, attending under the direction of an able and astute commander-in-chief to the requests of the combatants in the constituencies for munitions of war. Piles of posters, pamphlets, leaflets, squibs and cartoons, of a general party character, are dispatched to every constituency—the local needs of the contest, such as addresses to the electors, and the publication of facts, contradictions, and squibs of particular interest to the constituency, being provided by the candidate or the local organisation. A large portion of this enormous amount of printing is given away gratis by the central bodies. If a charge be made it is only what suffices to cover the bare cost of production. But that is not all. Special speakers, eloquent and gifted, fully equipped with every fact that tells in favour of the cause, are sent—some as volunteers, some at large fees—to constituencies that are either weak locally in talking power and are hard pressed by the enemy, or where an early victory would largely influence the final result of the campaign.

Meantime, the literature from headquarters or locally provided is effectively distributed in the constituencies. Every available wall is covered with the posters and cartoons; the leaflets fall like snow-flakes on every

household. It is a time of great local excitement and commotion. Strong party adherents fill their windows with election cards. Turn down any street, no matter how quiet and no matter how mean, and you see an amusingly mixed display of the cards of the rival candidates, while neighbours who have hitherto lived in amity and peace, now glance askance, if they do not actually scowl at each other, as they find themselves on opposite sides in the campaign. The noise of drums and brass instruments fills the air. The roar of the spouter is heard out of doors, and indoors the sweet beguiling tones of the canvasser fall on the ear. From house to house the candidate treads his way—soft of speech, cajoling, flattering, profuse of promises and pledges—attended by his faithful friends,

*To point the path, the missing link supply,  
Oft prompt a name and hint with word or eye ;  
Back each bold pledge, the fervid speech admire,  
And still add fuel to their leader's fire.*

Mr. Gladstone often said that in all his long life, in all the exciting political scenes he had gone through—making Cabinets and taking part in momentous decisions on peace and war—he had never experienced anything to compare for excitement with his first contest for Newark in 1832. At that time there were 2000 houses in the borough, and the custom was for the candidates to go into every house—whether it was occupied by an elector or a non-elect—to ask the elector for his vote and the non-elect for his influence; but Mr. Gladstone was five times in every house in the town, making 10,000 visits in all. On the other hand, Macaulay, like other eminent publicists of the past, was strongly



opposed to canvassing. During the contest for the representation of Leeds in 1832—after the passing of the Reform Act—he refused to ask a single elector personally for his vote.

The practice of begging for votes is, as it seems to me [he wrote], absurd, pernicious, and altogether at variance with the true principles of representative government. The suffrage of an elector ought not to be asked or to be given as a personal favour. It is as much for the interest of the constituents to choose well, as it can be for the interest of a candidate to be chosen. To request an honest man to vote according to his conscience is superfluous. To request him to vote against his conscience is an insult. The practice of canvassing is quite reasonable under a system in which men are sent to Parliament to serve themselves. It is the height of absurdity under a system in which men are sent to Parliament to serve the public. While we had only a mock representation it was natural enough that this practice should be carried to a great extent. I trust it will soon perish with the abuses from which it sprang. I trust that the great and intelligent body of people who have obtained the elective franchise will see that seats in the House of Commons ought not to be given, like rooms in an almshouse, to urgency of solicitation, and that a man who surrenders his vote to caresses and supplication forgets his duty as much as if he sold it for a banknote.

No doubt the work of canvassing has features that must always make it repugnant to supersensitive natures. Most candidates would probably be glad to be able to dispense with it altogether. It has, indeed, been often suggested that it would be well to include it in the practices that are declared by statute to be corrupt and

illegal at elections. But the general opinion seems to be that however distasteful canvassing may be to the candidate, it is desirable that he should be to the electors not merely an abstraction or a name, but a man; and that there should be that free personal intercourse and interchange of opinions between him and those whose suffrages he solicits which canvassing provides.

The pleasantest picture of canvassing in literature is one drawn from life by the charming pen of William Cowper. During the famous General Election of 1784, following on the contemptuous dismissal of the Coalition Administration of Lord North and Charles James Fox in the previous year by George III. and the consequent appointment of the youthful Pitt as Prime Minister for the first time, the poet, who had just finished "The Task," and was engaged on his inimitable ballad of "John Gilpin," took up his residence at Olney in Buckinghamshire, when one day his retirement was disturbed by the visit quite "without your leave" of an aspiring M.P., Mr. William W. Grenville (cousin of Pitt), accompanied by a retinue of zealous supporters.

We were sitting yesterday [writes Cowper], after dinner, the two ladies and myself, very composedly, and without the least apprehension of any such intrusion in our snug parlour, one lady knitting, the other netting, and the gentleman winding worsted, when, to our unspeakable surprise, a mob appeared before the window, a smart rap was heard at the door, the boys hallooed, and the maid announced Mr. Grenville. "Puss" (the tame hare) was unfortunately let out of her box, so that the candidate, with all his good friends at his heels, was refused admission to the grand entry, and referred to the back door as the

only possible way of approach. Candidates are not creatures to be susceptible of affronts, and would rather, I suppose, climb in at a window than be absolutely excluded. In a minute the yard, the kitchen, and the parlour were filled. Mr. Grenville, advancing towards me, shook me by the hand with a degree of cordiality that was extremely seducing. As soon as he, and as many more as could find chairs, were seated, he began to open the intent of his visit. I told him I had no vote, for which he readily gave me credit. I assured him I had no influence, which he was not equally inclined to believe, and the less, no doubt, because Mr. Ashburner, the draper, addressing himself to me at this moment, informed me that I had a great deal. Supposing I could not be possessed of such a treasure without knowing it, I ventured my first assertion by saying that if I had any I was utterly at a loss to imagine where it could be or wherein it consisted. Thus ended the conference. Mr. Grenville squeezed me by the hand again, kissed the ladies, and withdrew. He kissed likewise the maid in the kitchen, and seemed upon the whole a most loving, kissing, kind-hearted gentleman. He is very young, genteel, and handsome. He has a pair of very good eyes in his head, which not being sufficient, as it should seem, for the very nice and difficult purposes of a senator, he has a third also, which he wore suspended by a riband from his buttonhole. The boys hallooed, the dogs barked, "Puss" scampered, the hero, with his long train of obsequious followers, withdrew. We made ourselves very merry with the adventure, and in a short time settled into our former tranquillity, never probably to be thus interrupted more.

But that wooing the electors in the old, old times before the era of Parliamentary reform was not always so simple and so idyllic as William W. Grenville found

it, is shown in the famous contest for Westminster, in that same General Election of 1784, between Charles James Fox and Sir Cecil Wray. It was at this election that the beautiful Georgina, Duchess of Devonshire, successfully wooed the electors for the great Whig leader by her smiles and her kisses. "Your eyes are so bright, my lady, that I could light my pipe by them," said an Irish labourer to her at Covent Garden. She is said to have valued that compliment more highly than any she received during a long and brilliant career in social and political life. "The Duchess having purchased the vote of an impracticable butcher by a kiss is said to be unquestionable," says Earl Stanhope in his "Life of William Pitt." Lord Cornwallis wrote under date April 19, 1784: "The Duchess of Devonshire is indefatigable in her canvass for Fox. She was in the most blackguard houses in Long Acre by eight o'clock this morning"; and Horace Walpole has recorded, "During her canvass the Duchess made no scruple of visiting the humblest of the electors, dazzling and enchanting them by the fascination of her manner, the power of her beauty, and the influence of her high rank, and sometimes carrying off to the hustings the meanest mechanic in her own carriage." Other pretty society ladies, such as the Duchess of Portland, Lady Derby, Lady Duncannon, Lady Carlisle, and the three fair Ladies Waldegrave, following the example of the Duchess of Devonshire, also canvassed the electors for Fox.

The Court party, not to be outdone, put forth a rival bevy of bewitching canvassers on behalf of its candidate, Sir Cecil Wray. Lady Hobart (afterwards Lady Buckinghamshire)—the buxom and good-humoured

"Cowslip" of Gillray's pictures—energetically entered the field with the popular "Diana of Hatfield" to rally the fortunes of the nominee of George III. Sir Nathaniel Wraxall, who was Solicitor-General in Fox's administration, says in his "Memoirs": "An imperfect attempt was made on the hostile side to oppose this new species of warfare by similar captivation, and Lady Salisbury was moved to awake the dying fortunes of the Government candidate, but the effort failed; it was imitation; it was too late, and the Duchess was six-and-twenty, and Lady Salisbury thirty-four. These are reasons enough, and more than enough, for the rejection of any man from the hustings." In all cases it was found the voters were already "engaged to the Duchess."

Meanwhile the "Hon. Codgie Shuffecard Reynardine"—as his opponents styled Fox—had many rough and coarse encounters with electors, as was the way of the age. He applied to a saddler in the Haymarket for his vote and interest. The saddler declared that to give his vote was out of his power, but he had something instead, with which he was ready to oblige the candidate, and thereupon produced a halter. "My friend," replied Fox, with bland graciousness, "I return you thanks, but I should be sorry to deprive you of it, as I presume it must be a family heirloom."

Another story goes that one of the candidate's agents said, "I'll lay you five guineas and stake the money in your own hands that you will not vote for Fox," to a voter who seemed inclined to go the other way. "Done," said the free and independent, and going straight to the booths he won his bet and his bribe.

The election, which lasted forty-seven days, from

the 1st of April to the 17th of May, and was marked by scenes of riot and drunkenness—business having had to be practically suspended in the constituency—resulted in the return of Fox by a majority of two hundred and sixty-six above Wray. But it is worth noting as an illustration of another side of the “humours” of General Elections in the old days, that the returning officer, who was a rabid Tory, refused to make a return of the election, though the voting was open, on the ground that a scrutiny was necessary. The scrutiny occupied more than a year and cost £18,000. Meantime Fox had found another seat at Kirkwall.

It speaks badly for the political morality of our forefathers that most of the good stories of the way electors were wooed in old times tell of bribery and corruption. Constituencies with one, five or ten electors were then as common as constituencies with 20,000 or 30,000 voters are common now. Indeed, in the early part of this century 350 members, much more than half the House of Commons, were returned by 180 individuals. In most of the boroughs, the candidate simply paid his way to the House of Commons. He sent a fat purse to the patron of the borough, or if it had no patron, to its ten or twenty electors. That was all. There was no wooing to be done. At times the candidate was saved the trouble of showing himself in the constituency, and an old pauper was on the declaration of the poll chaired round the town *pro forma*. Indeed, in some cases, the candidate had to enter into an engagement with the patron of a nomination borough not to make the acquaintance of his constituents. “I came into Parliament for Newtown in the Isle of Wight, a borough of Sir Leonard

Holmes," wrote Lord Palmerston in his diary, May, 1807. "One condition required was that I would never, even for the election, set foot in the place, so jealous was the patron lest any attempt should be made to get a new interest in the borough."

Some of these boroughs having two seats were worth £3000 a year or £1500 per seat per annum to their patrons or their electors. If the patron of a nomination borough was a rich territorial magnate or a great peer he gave the seat to a clever, but needy man, who increased the political influence of his patron while he made his own reputation in the House of Commons. But many patrons who were not wealthy or had no political ambition, openly sold their boroughs; while, in the case of boroughs independent of patrons, the seat was often put up for public auction, and the purchase money distributed amongst the ten, twenty, or thirty voters who formed the electorate. Yet it is curious to read that these boroughs were, in the existing state of the law of Parliamentary election, deemed blessings to be thankful for; that they were, in fact, regarded as the very strongholds of patriotism and freedom, by the purest and most enlightened of the public men of the time. Sir Samuel Romilly (famous for his efforts in Parliament to limit capital punishment to a few heinous offences), bought his seat for Horsham of the Duke of Norfolk for £2000, and writing in his diary in 1817, thus moralises :

This buying of seats is detestable, and yet it is almost the only way in which one in my situation, who is resolved to be an independent man, can get into Parliament. To come in by a popular election in the present state of the representation is quite impossible; to be placed there by

some great lord and to vote as he shall direct is to be in a state of complete dependence ; and nothing hardly remains but to own a seat to the sacrifice of a part of one's fortune.

Sir Samuel Romilly, however, goes on to present another side to the picture. He writes :

It is true that many men who buy seats do it as a matter of pecuniary speculation as a profitable way of employing their money. They carry on a political trade : they buy their seats and sell their votes.

Another curious use to which boroughs were put was to supply the Government not only with supporters but with funds to carry on contested elections in constituencies where the franchise was more extended. Lord Palmerston, writing in his diary of the General Election of 1807, thus describes this ingenious procedure on the part of the Tory Ministers of the time :

They purchased seats from their friends at a low price, making up the deficiency probably by appointments and promotions. Those seats they afterwards sold out at the average market price to men who promised their support, and with the difference they carried on their contested elections. The sum raised in this manner was stated by a person who was in the secret to be inconceivably great, and accounts for the assertion afterwards made by Lord Granville in the Lords that "not one guinea of public money had been spent in the election." It may be imagined that if seats were bought for £2500, or even £2000, and sold again for £5000, a comparatively small number of such transactions would furnish a considerable fund, and the Government had so many seats passing through their hands that at least in one or two instances they sold them to people



who only professed themselves in general well disposed towards them without exacting a pledge of unconditional support.

It was common also for a fond parent, the owner of a nomination borough, to settle it on his daughter as her dowry on marriage. Indeed, so much was the sale of the representation regarded as a "vested interest," that when the Reform Act of 1832, which destroyed these pocket boroughs, was passing through Parliament, a proposal was actually made that their proprietors should receive compensation from the State at the rate of twenty years' purchase. The proposal was then rejected; but when the Union between Ireland and Great Britain was carried in 1800 the owners of the "rotten boroughs" which were destroyed by the Act were liberally compensated.

But while the purchase of pocket boroughs from their patrons continued to be recognised as legitimate until their abolition by the Reform Act of 1832, a statute to restrain and punish bribery of voters at elections was passed in the reign of George III. It was, however, ineffectual. Bribery went on as openly and as flagrantly as ever. Even George III. himself spent enormous sums to secure the return of members favourable to the policy to which he so pertinaciously adhered during his long reign—the policy of establishing "personal rule," of having as Ministers mere administrative puppets, servile men who would subordinate their opinions and their policy in all things entirely to his own autocratic will. "If the Duke of Northumberland requires some gold pills for the election, it would be wrong not to satisfy him," wrote the King to the Premier, Lord North, in 1779. The "gold pills" came from the "war

chest" of the Civil List. Three years later we find the King complaining to Lord North of the great expense which elections were costing him. "Had I thought," wrote Lord North in reply, "that the expense of contesting elections in 1779, 1780 and 1781 would have amounted to £72,000, I would never have advised your Majesty to embark on such expenditure."

Even the purest and most public spirited of candidates for Parliament had to aid their wooing by a lavish expenditure of money. It is curious to read nowadays that Samuel Wilberforce, the great champion of the freedom of the slaves, paid £9000 for Hull, which he first represented in Parliament. "By long established custom," he writes in his "Memoirs," "the single vote of a resident elector was rewarded by a donation of two guineas, four were paid for a plumper, and the expenses of a freeman's journey from London averaged £10 apiece. The letter of the law was not broken, because the money was not paid until the last day on which election petitions could be presented." The experience of the Earl of Shaftesbury (the great philanthropist and friend of the working-classes) was similar. As Lord Ashley he contested the County of Dorset as an anti-Reform candidate in the General Election of 1831, which followed on the rejection of the first Reform Bill. He was defeated; but his expenses amounted to £15,600, of which the greater portion, a sum of £12,525, was paid to the owners of inns and public-houses for refreshments—*i.e.*, "free drinks"—to the people. )

Many cunning and whimsical methods were employed by candidates and their agents to give bribes to voters and yet to be able to swear, in the event of a petition, that they had not infringed the letter of the law. It

was, for instance, proved at the hearing of an election petition in 1833 that one of the "free and independent," who had a financial difficulty in making up his mind how to vote, entered the committee room of a candidate to see the agent. "How are you to-day, Mr. Brown?" asked the agent, holding up three of his fingers. "I'm not well at all," replied the voter. The agent then put up five fingers, and remarked, "I'm sorry you are not well to-day." "Oh, I'll be all right soon," said the voter, as he walked to the window. The agent then put five guineas on the table, and turned away, and the elector, picking up the money, disappeared without another word. At the trial, the agent positively swore no communication passed between him and the voter on the subject of payment for the vote, that he did not give the voter five guineas, and the voter protested as stoutly that he had not received them. Indeed, the poetic figments by which bribes were administered in those days, while both parties in the shady transaction managed to keep on the safe side of the rather loose law that was supposed to restrain corruption at Parliamentary elections, are of a number and variety that do excellent credit to the inventiveness of our forefathers, if they somewhat sadly tarnish their moral reputation. During some elections a mysterious person arrived on the scene with a plentiful supply of cash. At one place the cashier was known as "Punch," at another he was graphically described as "the Man in the Moon," as he appeared at nightfall and was, as a watchword, met with the inquiry, "What news from the moon?" "Good news," was the invariable response. "I bring you what's due to you," and the jingling of the guineas fell like music on the ears of the elector.

Other well-recognised forms of wooing the electors in vogue till the passing of the stringent Corrupt Practices Acts now in operation, were that candidates purchased all sorts of articles from voters at extravagant prices, and sold valuable commodities to them for the smallest coins of the realm. At an election at Sudbury in 1826, a candidate purchased from a green-grocer, who had a vote in the constituency, two cabbages for £10, and a plate of gooseberries for £25. He paid the butcher, the grocer, the baker, the tailor, the printer, the bill-sticker on equally liberal terms. At Great Marlow once an elector got a sow and nine young pigs for a penny. Brinsley Sheridan was so fond of peas during his successful contest of Stafford at the General Election of 1784 that he bought them at £2 12s. 6d. per quart. A candidate in those days besides buying from tradesmen stocks of domestic necessities on a Gargantuan scale, also developed extremely curious and costly hobbies for collecting birds, animals and articles of all kinds from the electors, during his house to house canvass. John Stirling, in his burlesque epic of "The Election," pictures the candidate seeking to enlist sympathy for his cause by every artful cajolement :

*By ready speech and now by flattery soft,  
Sometimes by gifts and promised favours oft,  
He prospered well, and many a purchase made,  
That helped at once the cause and quickened trade.  
A stuffed jackdaw upon an upper shelf  
Now caught his fancy, now a cup of delft ;  
He paid three pounds for each. A cat that tore  
His fingers cost him ten ; a rabbit more.*

Most of the voters had old almanacs, of which the

canvasser became an enthusiastic collector, at several pounds a copy, and their children's white mice were purchased by hundreds. Among other choice varieties

*A bishop's worn-out ring, an infant's caul,  
Were paid for down, and sent to Harrow Hall.*

A good election cry, brief and pithy, compressing a political creed into a few words and intelligible to the people who have to shout it, is also a great factor in the wooing of the electors. Recent party cries, "Home Rule," "Down with the Lords," and "One man, one vote," with their rival watchwords, "The Union," "One Constitution," "One vote, one value" have these merits. The party cries of bygone times were equally understandable and short, sharp and decisive. There could be no difficulty as to the meaning of the cries of "Free Trade" and "Cheap Bread," on the one side, and of "Protection" and "British Agriculture" on the other side, which involved a laborious exercise of lungs in shouting them during the anti-Corn Law agitation half a century ago. At an earlier period, in the era of the Reform agitation, dire was the din in the land about "Vested Rights," "The Throne in Danger," "The British Constitution"—vociferations which were met with shouts of "Reform for Ever," "Down with the Rotten Boroughs," "The Bill, the whole Bill, and nothing but the Bill," and again in all these election cries were pithily put the political opinions of those who yelled them, or, perhaps it would be more correct to say, of those who paid to have them shouted. For the only really confusing election cry on record we must go back to the reign of George II. It dealt not with Toryism or Whiggery, or with things social or

political. Its origin was astronomical, and had reference to the annual revolution of the earth round the sun. Down to the year 1752, the Julian Calendar or Old Style was in use in England in preference to the more correct Gregorian Calendar or New Style adopted by most of the other nations of Europe. This made our reckoning of time eleven days behind that of the Continent, as corrected by the great movements of the heavenly bodies. Hence to harmonise British time with natural time and Continental usage, it became necessary to throw eleven days out of the year 1752, and so by Act of Parliament it was provided "that the natural day next immediately following the 2nd of September 1752 shall be called and reckoned as the 14th day of September, omitting the eleven intermediate nominal days of the common calendar." Numbers of people were sorely perplexed by the change. They could not understand it at all. It was the 2nd of September at night, when they went to bed, and the next morning it was the 14th! Many persons whose term of life dated from any one of the omitted nominal days, say September 10, and who had been accustomed to observe it as a festival, had that year no birthday to keep, for there was no September 10. Among the lower classes the impression was pretty general that by some occult art, and for some sinister purpose the Government had defrauded them of the due number of their days, and that they were actually eleven days nearer the day of death than they ought to have been. Hence at the following elections, Government candidates were angrily assaulted by the mobs, and loud were the shouts, "Give us back the eleven days we were robbed of."

One of the most curious of the things made manifest by a General Election is the confusion which exists in regard to party colours. Most people imagine that each party has got its own special and distinctive colour, and that that colour is worn by its adherents during election contests, in all parts of the country. Nothing could be further from the fact. In times when parties were more sharply defined than they are now ; when it was easier to symbolise party creeds and to convey definite political ideas by means of colour than it has been in recent years, which have witnessed much shifting and changing of parties, blue and buff served as a rule to distinguish the Tory and the Whig, the two great historical parties in the State ; but in our times, when party questions have got rather perplexingly mixed up, these colours are worn indiscriminately, both separately and in combination, by Liberals and Conservatives. In some counties the Liberals are blue and the Conservatives buff ; in other counties the Conservatives are blue and the Liberals buff. Again in some districts the Liberals flaunt blue and buff in combination ; the Conservatives in those districts being blue ; in other places the blue and buff ensign is hoisted in the Conservative interest, while the Liberals display blue or buff, and there are counties even in which blue is sported by Liberals and Conservatives alike.

Blue has been from time immemorial associated in the popular mind with truth and fidelity, which probably explains why each party would fain monopolise it as their own particular colour to signify their constancy to principles. Taking the country as a whole, however, blue is more associated with the Conservative party than with the Liberal party. A "True Blue"—one who

will not change his principles on any consideration—has long been used, appropriately enough, perhaps, as a description of a sound Tory or Conservative. But there were always exceptions to the rule. In old electioneering squibs such terms as “a Blue Whig,” and “a Whig of the Bluest Blue” are met with occasionally. Charles James Fox was wont to wear a yellow waistcoat, a blue coat and brass buttons, and therefore buff and blue were adopted by his followers as their colours. Buff and blue are also the colours that the Whig *Edinburgh Review* permanently adopted for its wrapper. They were the colours of the Prince of Orange; but, apart from that, the combination of the original Tory blue with the Whig buff must have been suggested by the objection of the Whigs to seeing blue with all its prestige and significance monopolised by the opposite party.

Some confusion in party colours seems, indeed, to have always prevailed. Thus, while yellow or buff is in Ireland the colour of the Orange Society, and is consequently regarded as the anti-Catholic hue, the anti-Catholics during the Gordon riots of 1780 wore blue ribbons. Lord George Gordon appearing on one occasion in the House of Commons with a blue cockade in his hat, Colonel Herbert sprang to his feet and said he would not stay in the House while a member wore the “badge of sedition.” The leader of the anti-Catholics was accordingly ordered by the Speaker to put his cockade into his pocket. Again, the English adherents of the movement for Catholic emancipation in the 'Twenties wore orange ribbons as their distinguishing badge, while its most bitter and determined opponents in Ireland displayed the same colour. But in Ireland the vagaries



as to party colours, which exist to so confusing a degree in the rest of the kingdom, are not to be found. There each party, North and South, has its own distinctive hue. Green is everywhere in Ireland the colour of the Nationalists, and yellow is everywhere the colour of the Orangemen. Orange and blue were, as I have said, the colours of William III., and these were adopted by the Orangemen; but blue has gradually been discarded by them, and that colour is only used now in Ireland by moderate Conservatives who do not care to identify themselves so closely with Orangeism as to wear its colours. But though orange and blue were the colours of William III., sprigs of green were, curiously enough, worn by his soldiers in their hats to distinguish them from the adherents of the Stuart cause—who wore the white badge of the King of France—at the Battle of the Boyne, which broke the back of that cause and the cause of the Catholic or Nationalist Irish in 1690.

It is interesting to note, as showing that blue was everywhere the coveted colour in popular movements long before the days of Whigs and Tories, that in 1690, and for many years previously and subsequently, blue was the colour of the Catholic and old Celtic Irish. It was not until the Revolutionary Society of the United Irishmen, about 1790, tried to form a union of Catholics and Protestants, or of the native Irish and of the descendants of the English and Scotch settlers, as a step towards the establishment of an Irish Republic, that green—produced by a blending of blue and orange—was adopted as the Irish national colour, which it has since remained.

A colour or badge which party sentiment has made

almost a holy and sacred thing would, it will be admitted, be a potent factor in a General Election. People like to label themselves, to be able to wear some favour pretty in itself which will distinguish them from others; and if at the same time it be a badge with which some aspiration, or the memory of some great and commanding personality, has become associated, it is certain that the contagion of wearing it will spread, and that it will bring over to the cause it represents more adherents than perhaps any number of sound and logical speeches delivered in Parliament. Hence the popularity of "Primrose Day," in memory of Lord Beaconsfield. There is also "Ivy Day," October 6 (the anniversary of Mr. Parnell's death), on which the followers of "the dead chief" wear sprigs of ivy to signify their devotion to his memory and principles; and the blue cornflower has, with a pretty signification, come to be associated, to some extent at least, with the memory of Cobden and the repeal of the Corn Laws. But strong and enduring sentiments such as cluster round the Beaconsfield and Parnell anniversaries are impossible in the case of party colours when each party is divided on the question of its own particular hue; and it might, indeed, be well if a joint committee of both parties were formed to reduce the chaos of election colours to order.

At the same time, it must not be forgotten that, strange though it may seem, the distribution of cockades or ribbons in a constituency during an election on behalf of a candidate is illegal. "No payment," says the sixteenth clause of the Corrupt and Illegal Practices Prevention Act, "or contract for payment, shall, for the purpose of promoting or procuring the

election of a candidate at any election, be made on account of bands of music, torches, flags, banners, cockades, ribbons, or other marks of distinction." But, nevertheless, by the expedient of the local party organisations paying the expenses, flags, banners, bands, and cockades still lend colour and animation to the wooing of the electors.

## CHAPTER II

### AT THE POLLING BOOTHS

PARLIAMENT is dissolved by a Proclamation, issued by the Sovereign, on the advice of the Ministers of the day, and the same instrument also directs the election of its successor. The Lord Chancellor of Great Britain and the Lord Chancellor of Ireland are commanded by the Proclamation to "forthwith serve out writs in due form and according to law, for calling a new Parliament." The writs are despatched from the Crown Office at Westminster, to the returning officers of the various constituencies, on the day that Parliament is dissolved. The messenger of the Crown Office delivers the writs for the provincial constituencies to the Postmaster-General or his deputy, at the General Post Office, London, and receives an acknowledgment in writing, stating the time of delivery at St. Martin's-le-Grand. The writs for the London divisions are sent by hand from the Crown Office to the returning officers. The local postmasters are instructed by the Postmaster-General to deliver the writs sent through the post without delay, and to obtain in each case a receipt from the returning officer, with an endorsement of the time of the delivery of the writ. These receipts are sent back by the next post to the Postmaster-General, who files them and makes an entry of their particulars in a

book which is kept at St. Martin's-le-Grand for the inspection of persons interested. The writs, it is interesting to note, must be despatched from the General Post Office free of charge.

The form of the writ for boroughs, which is similar to the writ for counties, is as follows:

Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to the Mayor of the Borough of \_\_\_\_\_ greeting : Whereas by the advice of Our Council we have ordered a Parliament to be holden at Westminster on the \_\_\_\_\_ day of \_\_\_\_\_ next : We command you that notice of the time and place of election being first duly given, you do cause election to be made according to law of \_\_\_\_\_ members (or a member) to serve in Parliament for the said borough, and that you do cause the name of such members, when so elected, whether they be present or absent, to be certified to us in Chancery without delay.

Witness Ourselves at Westminster the                      day  
of                      , in the                      year of our reign and in the  
year of our Lord 18                      .

The writ is not written, but printed on parchment, and is about twelve inches by eight in size. Nothing except the dates and particulars necessary for different constituencies is inserted in writing. In the space on the left hand side is the Great Seal, on the right, the printed signature of the Clerk of the Crown. On the back of the writ the returning officer enters the date he receives it, and when the election is complete, certifies the name of the member who is returned. It is then transmitted through the post, with the same precautions as heretofore, to the Clerk of the Crown at Westminster.

In England, the returning officer is the sheriff for

the counties, and the mayor for the boroughs. In Scotland and Ireland the sheriffs act for both the counties and the boroughs. In the case of borough elections, not less than two clear days, and not more than three clear days, must elapse between the receipt of the writ and the date of the nomination, and the poll must be taken not later than three clear days after the nomination. The limit of time for the county elections is naturally much wider. In the counties the nomination, may, in the discretion of the sheriff, take place any time up to the ninth day after the receipt of the writ, and the election may be postponed until six clear days after the nomination.

On the day of nomination the returning officer attends at the place he has duly announced—usually the vestry hall or municipal buildings of a borough or of the principal town of a county constituency—to receive within certain fixed hours, nomination papers on behalf of candidates. The nomination paper contains the name, abode, profession or calling of the candidate, and the names and addresses of two registered electors who formally propose and second him, and of eight assenting burgesses. As a rule each candidate gives in several nomination papers, filled up by electors from various classes or sections of the constituency in order to show the representative character of his supporters, and at the same time to obviate the risk of having the nomination declared null and void by the returning officer owing to an informality or an irregularity in the original nomination paper. It is the duty of the returning officer to refuse to receive the nomination of any candidate disqualified by statute. A peer of the United Kingdom, in other words a member of the

House of Lords, cannot be a candidate for the House of Commons. A Scottish peer, even though he be not one of the sixteen elected representative peers of Scotland who have seats in the House of Lords, is also disqualified, but by the Act of Union of Great Britain and Ireland, an Irish peer—so long as he is not one of the twenty-eight elected representatives of the Irish peerage in the House of Lords—may sit for any county or borough in Great Britain. It was a matter of doubt whether a clergyman could sit in the House of Commons until 1801, when the question was raised by the return of the Rev. J. Horne Tooke, the famous Radical, for the borough of Old Sarum. A motion to expel him from the House was dropped, but, while he was allowed to retain his seat, an Act was passed to prevent, in future, the admission of clergymen of the Established Church, and ministers of the Church of Scotland. The priests of the Roman Catholic Church were also disqualified by the Catholic Emancipation Act of 1829. English, Irish, and Scotch judges, county court judges, stipendiary police magistrates, revising barristers, certain State officers, civil servants and Government contractors, are also excluded from the House of Commons. A recorder cannot sit for a borough in which he acts as judge. Imbecility of mind and lack of British citizenship are other disqualifications. Foreigners, although they may own property in this country, and have lived here nearly all their lives, cannot vote unless they have taken out letters of naturalisation at the Home Office, Whitehall, for which the fee is £5. An adjudged bankrupt is disabled from being elected to, or sitting or voting in, the House of Commons, but the disqualification ceases when he obtains his discharge with

a certificate that the bankruptcy was caused by misfortune. A convicted felon, who has not served his full term of punishment, or has not received the royal pardon, is disqualified. Four Irish political felons have been nominated and returned for Irish constituencies within the last quarter of a century, but their elections were subsequently declared to be null and void by the House of Commons. O'Donovan Rossa, elected for county Tipperary in 1870, while undergoing a sentence for treason felony; John Mitchel, who escaped in 1853 from the penal settlement of Van Diemen's Land, elected for county Tipperary in 1875; Michael Davitt, elected for Meath in 1882 while out on ticket-of-leave; and John Daly, returned for the city of Limerick in 1895, while in prison for treason felony, were all declared by resolution of the House of Commons to "have become, and to continue incapable of being elected or returned to this House, having been adjudged guilty of felony." Mr. Michael Davitt, however, on the termination of the period of his sentence, became eligible for election, and was returned to the House of Commons in 1892 and 1895.

Any male over twenty-one years of age may otherwise be nominated. Under the Constitution of the United States, every member of both the House of Representatives and the Senate must be an inhabitant of the State for which he is returned. But no such rule exists in our Constitution. A statute of Henry VI. required the member to be a resident of the county or borough which he represented in Parliament; but by the time of Elizabeth it had fallen into desuetude, and finally was repealed by an Act of George III. By a law also passed in the reign of Henry VI. the county member



was required to have an estate of £600 in land. The object of this enactment was to secure to the owners of land a monopoly of the representation of the counties in the House of Commons. No property qualification was then required of the representatives of boroughs, much to the displeasure of the country gentlemen who desired to safeguard their ascendancy by excluding the rest of the community from Parliament; and at last, after several defeats, they succeeded in having passed into a law, during the reign of Queen Anne, a Bill requiring every member of the Commons, except the representatives of the Universities, to possess, as a qualification for his seat, a landed estate, above all encumbrance, of £300 a year. The law was, however, notoriously evaded. Candidates sometimes presented themselves without any qualification, which, on their return, their supporters provided for them, subject to a certain control of the property. The rise of rich commercial men, ambitious of seats in Parliament, led, early in the present century, to the surrender of the real estate qualification, and candidates were enabled to qualify either in respect of realty or personalty, or both combined. All property qualifications for Parliament were abolished by statute in 1858. The aspirant for Parliamentary honours must, however, have money in his purse. The heavy charges of the returning officer are defrayed by the candidates. If there be no contest the candidate on nomination pays £25. In the event of a contest the charges are considerably higher. They run in boroughs from £100 up to £700, and in counties from £150 to £1000, according to the number of electors on the register, and are apportioned equally among the candidates.

How ridiculously easy it must have been to ascertain the verdict of the electorate in some of the old pocket boroughs ! In the famous borough of Old Sarum, Wilts—for many years a mere assemblage of mounds, trenches, and ruins about a mile distant from the present cathedral city of Salisbury—the electorate consisted simply of the bailiff of the Earl of Caledon.

The Rev. J. Mozley, in his "Reminiscences," gives a most interesting portrait of the constituency of Old Sarum. He was conducting a service for a friend at Stratford-cum-Castle, near Salisbury, when he met "a bright looking old fellow, with a full rubicund face and a profusion of white hair." Having expressed his warm approval of the service as conducted by Mr. Mozley, the old man went on to say : "When people had nothing else to do, they could not do better than say prayers. For his part his work was over, and he was proud of it. He had been the borough of Old Sarum, and had returned two representatives to Parliament for forty years. All honest men and gentlemen—not the sort of fellows they were sending to Parliament in these days." In the borough of Sutton, in Surrey—now a beautiful rural domain seen from the London and Brighton Railway—the right of election was in freeholders having their freeholds in their own occupation. Sir Mark Wood, having purchased the entire borough for £10,000, became the sole freeholder. In the borough there were but six houses. Sir Mark lived in one, and let the others to weekly tenants, who paid the taxes, he being the collector, churchwarden, overseer, surveyor of highways, borough magistrate, and appointer of the local constable. This latter functionary also acted as returning officer, and duly returned Sir Mark Wood as

member for the borough, after Sir Mark had proposed himself and demanded a poll.

Matters were managed with equal ease and expedition in the county of Bute, in Scotland. The writ of election was transmitted to the sheriff, Mr. M'Leod Bannatine, afterwards Lord Bannatine. He named the day of nomination and issued his precept for the election. On the day of nomination, Mr. Bannatine was the only freeholder qualified to be present. He accordingly took the chair and went through all the prescribed forms. As sheriff, he produced the writ of election, read the writ and the oaths against bribery at elections. As sheriff, he administered the oath of allegiance, supremacy and abjuration to himself as chairman. He signed the oaths as chairman and sheriff. As chairman, he named himself as clerk to the meeting, and as clerk, he called over the roll of freeholders which contained only his own name. He then proposed himself as candidate, seconded his own nomination, and, as there was no opposition, declared himself duly elected. He dictated and signed the minutes of election as chairman, and as sheriff he transmitted the return to the writ to the Crown Office at Westminster.

An admirable illustration of the nature of the Parliamentary representation of the country at this time is contained in a famous passage in the speech of Lord John Russell explaining the first Reform Bill to the House of Commons, on March 1, 1831. He assumed the case of a stranger who, arriving in England and finding it unequalled in civilisation, in enlightenment, in freedom and in wealth, desired to study the representative institutions of so fortunate a country.

What would be his surprise [exclaimed Lord John Russell] if he were taken by the guide, whom he had asked to conduct him to one of those places of election, to a green mound, and told that that green mound sent two members to Parliament? Or to be taken to a stone wall, with three niches in it, and told that those three niches sent two members to Parliament? Or if he were shown a green park with many signs of flourishing vegetable life, but none of human habitation, and told that that green park sent two members to Parliament? If the stranger were told all this, and was astonished at hearing it, how much more astonished would he not be if he was taken to see large and populous towns full of enterprise and industry and intelligence, containing vast magazines and every species of manufacture, and were to be told that those did not send any representatives to Parliament.

Sir Robert Harry Inglis, member for the University of Oxford, who vehemently opposed Lord John Russell's motion for leave to introduce the Reform Bill, denied that there was any idea whatever of the representative principle in the Constitution of England. The principle on which Parliament was summoned was, he contended, that the Sovereign invited whomsoever he pleased to advise him in the government of the realm. This was in a constitutional sense true. In olden times the King issued his writ or summons to any place he pleased, commanding that place to send a representative to his Grand Council. The choice of the Sovereign was originally an arbitrary choice, but in time it became in most cases permanent. However, for close on two centuries the Sovereign had no control over the composition of the House of Commons save what he could exercise as in the case of George III., through the influence of

the purse, like any of his wealthy subjects, or the distribution of places of emolument or titles of honour to those who supported his policy in Parliament. Charles II. is the last Sovereign who by the exercise of the personal prerogative of the Crown issued writs to places previously unrepresented. Therefore, from the middle of the seventeenth century to the Reform Act of 1832 the representation of the country in the House of Commons remained unaltered; and thus while in the changes of the time many constituencies became mere geographical expressions—Old Sarum, in Wilts, was a mound; Dunwich, a place on the Suffolk coast, was undermined by the sea; Sutton, in Surrey, was a park; Corfe Castle, in Dorsetshire, was a ruin—and yet continued to return each its two representatives, great manufacturing towns like Manchester, Liverpool and Leeds, vast centres of industry and wealth, and teeming with population which, owing to the industrial revolutions of the eighteenth century, had arisen since the days of Charles II., were without a voice in the Legislature.

- At the opening of the eighteenth century the House of Commons consisted of 513 members representing England and Wales; Scotland, after its union with England and Wales, sent 45 members; and Ireland, on its inclusion in the United Kingdom in 1801, sent 100 members. Of the 658 members thus made up, 425 were returned either on the nomination or on the recommendation of 252 patrons. This extraordinary representative system—"with all its represented ruins and all its unrepresented cities," as Macaulay said—was happily destroyed by the Reform Act of 1832. Every borough which had less than 2000 inhabitants lost the right of sending a member to Parliament, and boroughs

of less than 4000 inhabitants which previously returned two members were each deprived of one representative. The 143 seats thus obtained were distributed amongst the important unrepresented boroughs and the populous counties. England then had 472 members; Wales, 28; Scotland, 53; Ireland 105; or still a total of 658. The Act also got rid of the existing curious and perplexing borough franchises. There were, for instance, the "potwallopers." A potwalloper was a person whose claim to vote was founded on the fact that he had "boiled his own pot" in the constituency for six months. He might be either a householder or a lodger so long apparently as he did his own cooking. Then there were the freemen, whose qualification to vote was obtained by birth, by marriage with the daughter or the widow of a freeman, by apprenticeship to a freeman, by purchase, or by gift; residents who paid "scot and lot," as the taxes for local and national purposes were called; holders of land in the borough, and members of the corporation of the borough. By the Reform Act of 1832 all these franchises, save the freeman's roll, were swept away, and votes were given to householders paying rates for houses of the yearly value of £10 and upwards. In counties the franchise had been much simpler. The right to vote had been enjoyed by forty-shilling freeholders alone for four hundred years, or since 1430, in the reign of Henry VI. By the Reform Act the franchise was extended to copyholders (an ancient tenure of land somewhat of the nature of a freehold) of the value of £10 a year, to leaseholders of not less than twenty-one years at the annual rent of £30 and upwards, and to tenants of holdings of the clear annual value of £50.

Lord John Russell spoke with bated breath of the tremendous results which would flow from the Reform Act of 1832. "Half a million of voters will be added to the electorate of the United Kingdom," said he, and the House was awed by the statement. But, as the result proved, the number was considerably less. The working classes, who really carried the Bill—whose fierce and tumultuous agitation stiffened the backs of the reforming Ministry, and overawed the opposing peers and the wavering King—were still left entirely outside the pale of the Constitution. The Act simply extended to the middle classes a share of the political power, which had hitherto been the monopoly of the aristocracy. No wonder, then, that the working classes refused to accept as final the Reform Act of 1832, as they were asked to do by its author, Lord John Russell; and that from 1832 to 1867 they frequently demanded their own enfranchisement. Mr. John Bright, who, after the repeal of the Corn Laws in 1845, became the leader of the second reform agitation, declared about 1860 that five out of every six men in the kingdom had no votes. He also stated that there were in the House of Commons 330 members (more than half the House) whose constituents combined did not amount to more than 180,000, and that there were at the same time 24 members whose constituents numbered together upwards of 200,000. The nation had, in fact, again outgrown its Constitution.

But it was not until 1867 that the second Reform Act was passed. The electors qualified by the franchise established by the first Reform Act numbered in 1867 1,364,000. The new Act, introduced by Disraeli, who was leader of the House of Commons under a Con-

servative Government—the Act which the Premier, Lord Derby, described in a historic phrase as “a leap in the dark”—increased the number of voters to 2,448,000. It established the principle of household suffrage. In boroughs the qualification for the franchise was reduced from the occupancy of a house valued at £10 to the occupancy of any house, provided the occupier was one year in possession, was rated for the relief of the poor, and paid his rates personally. Lodgers paying £10 a year and resident for twelve months were also for the first time entitled to vote. In counties, however, household suffrage was not yet recognised. The franchise was simply extended to every freeholder whose freehold was of the annual value of 40*s.*, to every copyholder and leaseholder of the annual value of £5, and to every tenant or householder whose rent was not less than £12 a year. The franchise in Scotland was not dissimilar from that of England; but in Ireland the borough franchise was only reduced from a £10 rated occupancy to a £4 rated occupancy, while in the counties the qualifications established by the Act of 1832 were left undisturbed. In connection with the Reform Act of 1867 a Redistribution Act was passed which allowed only one member to boroughs having less than 10,000 inhabitants. England then had 463 members; Wales, 30; Scotland, 60; Ireland, 105; or still a total of 658.

The electorate had reached 3,000,000 when Mr. Gladstone's Representation of the People Act, 1884—which extended the household franchise to counties, made the qualification to vote in Ireland identical with that in Great Britain, and brought the entire United Kingdom under a uniform electoral law—added 2,000,000 voters,



or more than four times as many as were created by the Act of 1832. The electoral body of the United Kingdom now numbers about 6,000,000. Every male over twenty-one years of age who is the inhabitant occupier of a dwelling-house or of any part of a house occupied as a separate dwelling, whether he occupies as owner, as tenant, or by virtue of any office, service, or employment (the question of rent being immaterial); and every lodger occupying rooms of a yearly value, if let unfurnished, of £10, is entitled to be on the voters' register and to vote provided that he has been in occupation for twelve months preceding July 15. There is no condition as to rating or payment of rates in the lodgers' franchise, but in the case of the occupancy of a house or part of a house some person (either landlord, rent collector, or tenant) must have paid the poor-rates due in respect of such dwelling-house on or before July 20 in England (the date being different in England, Scotland, and Ireland) or the voter will be disfranchised for the whole of the following year. Persons who have received parochial assistance other than medical relief, aliens, imbeciles, and peers are also disqualified from voting at a Parliamentary election.

In 1884 the House of Commons consisted of 652 members, four constituencies returning six representatives having been disfranchised since 1867 for corrupt practices at elections; but by the Redistribution Act, passed in connection with the third Reform Act of 1884, not only were 160 seats obtained by disfranchisement distributed among counties and boroughs then under-represented, but the total number of members was raised from 652 to 670, England getting six and Scotland twelve more. Boroughs with a population of

less than 15,000 inhabitants were thrown into their respective counties; boroughs with 15,000 to 50,000 inhabitants were given one member; with 50,000 to 165,000, two members; and beyond that figure an additional member was given for every 50,000 of population. The county representation was based in the same manner upon the number of the inhabitants. The House has since 1884 consisted of 670 members—465 from England, 30 from Wales, 72 from Scotland, and 103 from Ireland.

The Universities of Oxford, Cambridge, and Dublin have for centuries enjoyed Parliamentary representation. The Universities of London, Edinburgh and St. Andrews, and Glasgow and Aberdeen were enfranchised by the Reform Acts of 1867–68. There are now in the House of Commons nine members who sit for universities. Oxford returns two; Cambridge two; Dublin two; London one; Edinburgh and St. Andrews one; Glasgow and Aberdeen one. The voters are in each case the graduates on the electoral roll of the university. The numbers constantly fluctuate, but Oxford has about 6000 votes; Cambridge about 6500; Dublin about 4000; Glasgow and Aberdeen, and Edinburgh and St. Andrews have each about 8000.

The registration of electors, which was first introduced by the Reform Act of 1832, is now conducted by the local authorities. The voters' lists for each constituency are first compiled by the parish overseers in England, the clerks of the unions in Ireland, and the valuation assessors in Scotland, and in August of each year are affixed on the doors of churches, chapels, vestry halls, police stations and post offices for public reference. If a qualified elector finds his name omitted from the list or that the list contains a misdescription

of some essential particular, he must send in notice before a given date. Courts for the revision of these lists, presided over, in England and Ireland, by a barrister-at-law known as the revising barrister, and in Scotland by the Sheriffs, are held in every constituency in September and October. It is in these Revision Courts that the fate of parties at the polling booths is mainly decided. The entire political complexion of a constituency may be changed by the registration. "Register, register, register," was the advice which Sir Robert Peel gave to his Tory followers in a speech at Tamworth in August 1837, and "Register, register, register," has been since then the motto of both the great political parties. "The battle of the Constitution must be fought in the Registration Courts," said Sir Robert Peel on another occasion. To this important branch of political work the National Conservative Union and the National Liberal Federation give the closest attention through their local representatives. On it vast sums of money are spent. When a stranger comes to reside in a constituency in which parties are highly organised, he is immediately waited on by political agents to ascertain his opinions, and when he has got the necessary residential qualification care is taken by the agents of the party to which he belongs that his name appears on the voters' list. Each party is also represented in the revision courts by an agent with a band of local assistants, who strive to get on the register as many as possible of their own supporters, and to reduce by every legitimate means the ranks of their opponents. An appeal from a decision of the revising barrister is allowed to one of the High Courts.

The revised register comes into operation on

January 1 of each year, and remains in force until December 31, and according as the register of a constituency is Conservative or Liberal so will a Liberal or a Conservative be returned if an election should take place within the twelve months. That is the general rule. There are of course exceptions to it occasionally. A party has, now and then, been overwhelmed by a wave of popular feeling in constituencies where according to the registers it was in a majority. "Reaction is the ebb and flow of opinion incident to fallible beings," said Disraeli in the House of Commons, February 1848, "the consequence of hope deferred, of false representations, of expectations baulked. Reaction is the consequence of a nation waking from its illusions." Besides, for the vagaries of "the wobbler" there is no accounting. "I was born a Conservative on August 29, 1848," said a candidate at the General Election of 1895, and no doubt he was right, for views on political questions are largely due to the temperament or disposition, or the influences of environment. In fact Mr. Gilbert's sentry was not far wrong in saying that every little boy or little gal who's born into the world alive,

*Is either a little Liberal  
Or else a little Conservative.*

But "the wobbler" has somehow no settled political convictions. He occupies a position of immense power. He is the odd man with the casting vote. At each General Election he turns up at the polling booths in his thousands, and votes under the influence of some passing whim or fancy, or, perhaps, with an intensely good-natured desire to give the "outs" a chance. It is to his unstable political opinions that is due the

remarkable and somewhat humorous fact that Liberal has succeeded Conservative in office with invariable regularity since the second great extension of the franchise in 1868, by which the social stratum containing the "wobbler" was tapped. The "wobbler" is a plain, colourless, commonplace person, as a rule, but in him really lies at every General Election the decision of the fateful question—Shall the Government of the Empire be Liberal or Conservative for a term of years?

The number of polling booths depends on the extent of the constituency. Each station—which is kept open from eight in the morning till eight in the evening—is presided over by a representative of the returning officer (known as the presiding officer) assisted by his clerks. The interest of each candidate is looked after in the polling booth by a polling personation agent. No one else has authority to remain in the booth. When a voter enters the polling-station, the presiding officer first satisfies himself of his identity, according to the register of voters—a duty in which the presiding officer is assisted by the polling-agents of the candidates—before he supplies the elector with a voting-paper. The voting-papers are made up like a cheque book. The counterfoil and the voting-paper have both a certain number, like a cheque and its counterfoil; and before tearing the voting-paper out of the book and handing it to the voter, the presiding officer enters the voter's register number on the counterfoil, and stamps the voting-paper with the official die. Retiring with the voting-paper to a reserved corner of the room, where no one dare approach him, the elector places his mark after the name of the candidate for whom he votes; then folding up the paper, but leaving the official

stamp exposed that the presiding officer may see it is really the official paper, he drops it into the ballot-box. Thus are votes recorded. Thus does the citizen, humble and obscure, exercise his great constitutional right of the franchise which makes or unmakes the Government of the greatest empire in the world.

How simple and quiet the operation is compared with the mode of recording votes before the Ballot Act of 1872. Voting was in those days open. The polling was at one time prolonged for forty days, as we have seen in the case of the Westminster election of 1784. In later years the period was reduced to fifteen days. The Reform Act of 1832 provided that the poll was to be taken in two days. But on the polling days—whether forty, fifteen, or two—street fights between the followers of the rival candidates were common, if not universal, all over the country. Indeed the first thing a candidate did was to organise a mob of bludgeon men to protect himself and his followers during the campaign, to escort his voters to the poll, and also, of course, to intimidate the enemy. Between them the rival mobs “painted the town red” during the polling. Hustings, or temporary platforms, were erected in front of the building in which the voting was recorded, and here the candidates had to stand for hours every day, each making heroic, but vain, efforts to lay before the rowdy shrieking crowd, amid showers of stones, mud, and dead cats, the sublime virtue of his political opinions, or the utter depravity of the views of his opponent. A common item in a candidate’s election bill before the Ballot Act was something like this: “To the employment of 300 men to obtain a hearing, £460.” Those men believed that the best way “to obtain a hearing”

for their employer was to prevent his rival being heard, and as the hired mob on the other side entertained the same opinion, the result was that both candidates were shouted down.

A county election in the early years of Parliamentary representation was always decided by a show of hands of the people of the county in meeting assembled. Polling came into operation in the reign of Henry VI., when the franchise was limited to the forty shilling freeholders; but it was not till as late as the reign of James I. that the right of a candidate to have a poll on demand was completely established. While the system of open voting continued, the sheriff or presiding officer, on the day of nomination, asked for a show of hands on behalf of each of the candidates, and decided in favour of the candidate on whose behalf the larger number of hands was uplifted. But as the majority of those present were non-voters, of course this farce was always followed by a demand for a poll. From time to time, during the days the poll remained open, figures recording the progress of the candidates were issued on the front of the hustings, and gave the signal for renewed shouting and groaning, and the fall of fresh showers of unsavoury missiles. A graphic and very true picture of electioneering pastimes in front of the hustings is given in the following extract from an old rhyme, entitled "Election Day":

*Now greeting, hooting, and abuse,  
To each man's party prove of use;  
And mud, and stones, and waving hats,  
And broken heads and putrid cats,  
Are offerings made to aid the cause  
Of order, government, and laws.*

*Now lampoons, idle tales, and jokes,  
And placards over-reach and hoax ;  
Whilst blustering, bullying, and brombeating,  
A little pommelling and maltreating,  
And elbowing, jostling, and cajoling,  
And all the jockeyship of polling,  
Deep manœuvre and duplicity,  
Prove all elections fair and free.*

An interesting glimpse of what a candidate had to face on the hustings, and of the manner in which he was compelled to play down to the level of his audience, is afforded by an experience of Disraeli in the Town Hall of Aylesbury once, on returning thanks for his election for Buckinghamshire, which he represented from 1847 till his elevation to the peerage in 1876. He was received with a cry of, "You look rather white," from his opponents.

I can tell you [he exclaimed] that it is at least not the white feather I show. [Laughter and cheers, mixed with howling.] If any member of the melodious company of owls [loud laughter] wishes to address you after me, I hope that you will give him a fair hearing. [Interruption.] I can tell the honourable gentleman who makes this interruption, that if it were possible for him to express the slightest common sense in decent language I should be ready to hear him. In the meantime, I must say from the symptoms of intelligence which he has presented to us to-day I hope he is not one whom I number amongst my supporters. [Cheers and laughter.]

Addressing his opponents, he further said :

Your most brilliant argument is a groan, and your happiest repartee a hiss. [A voice then exclaimed, "Speak



quick ! speak quick !” and he retorted :] It is very easy for you to speak quick, when you only utter a stupid monosyllable ; but when I speak I must measure my words. [Loud cheers and laughter.] I have to open your great thick head. [Laughter.] What I speak is to enlighten you. If I bawl like you, you will leave this place as ignorant as you entered it. [Cheers and laughter.]

And yet it took forty years to convince Parliament of the beneficence of the Ballot. Mr. Grote, the historian of Greece, who sat in the House of Commons as a Radical for the City of London from 1832 to 1841, made the subject his hobby. In 1833, during the first session of the reformed Parliament, he brought in a Bill to provide for secret voting at Parliamentary elections, but it was rejected by a majority of 105, the numbers being 106 for the Bill, and 211 against it. When Mr. Grote retired from Parliament in 1841, to devote himself to his “History of Greece,” Mr. Henry Berkeley took up the subject, and, like Mr. Grote, moved an annual motion in its favour ; but failed to get for the Ballot the sanction of a vote of the House of Commons until 1857, when, despite the opposition of the then Whig Government (including Lord John Russell and Mr. Gladstone, who, however, ultimately avowed themselves supporters of the Ballot), he carried, by a majority of 37, a resolution in favour of secret voting at elections. Still twenty-one years elapsed before the Ballot was finally established by Act of Parliament. A Select Committee which sat in 1868, presided over by Lord Hartington, to inquire into corrupt practices at elections, reported in favour of the Ballot, as a measure likely to conduce to the tranquillity, purity, and freedom of elections. The

undue influence which prevailed in various forms at elections—owing principally to the system of open voting—are strikingly set forth in the evidence taken by that Committee. The most common form was the terrorism exercised by the hired mobs at each side, which used as their weapons of persuasion stones and sticks, dead cats, rotten eggs and other malodorous weapons, and opprobrious cries. There was also not the less powerful, but more subtle, intimidation of tenants by landlords, of workmen by employers, of servants by masters, of tradesmen and shopkeepers by customers; and more reprehensible still, the spiritual influence of ministers of religion, who did not hesitate to invoke the terrors of the world to come, in order to compel an elector to vote against his conscience.

In 1871, Mr. W. E. Forster, who was a member of the Liberal Government then in office, with Mr. Gladstone as Prime Minister, introduced the Ballot Bill. It passed through the House of Commons, but was rejected by the House of Lords by ninety-seven votes to forty-eight, on the motion, curiously enough, of the Earl of Shaftesbury, the great philanthropist and friend of the working classes, for whose protection, indeed, the Bill was mainly designed. The arguments of the opponents of secret voting were, that as the vote was a trust confided to the elector for the good of the commonweal, it was essential, to prevent its being used for private and unworthy ends, that it should be discharged openly and in the light of day; that the ballot would impair or destroy the voter's sense of dignity and his feeling of public responsibility, by implying that a man dare not express his sentiments and discharge his duty in the face of his fellow citizens. But these academic arguments could

not prevail. The Bill was reintroduced in the following Session of Parliament, passed again through the Commons, was sent up to the Lords, and despite the renewed opposition of Lord Shaftesbury, was carried successfully to the Statute Book. Since then the elector has been free to vote as he pleased, influenced only by the dictates of his conscience, his political convictions, or his whims and fancies.

But the polling day, on which by an ancient and curious formality all soldiers are confined to barracks, is still the most exciting day of the electoral campaign. Each side devotes all its energies on that momentous day to whipping in the voters. Before the Corrupt Practices Act of 1883, which prohibits the hire of vehicles by candidates, the heaviest item in a candidate's expenditure was the cost of bringing the electors to the booths. In the General Election of 1880—the last at which the old custom prevailed—the items for hire of conveyances were, in North Lancashire, £6135; in South Durham, £6536; in North Durham, £7330; and in Montgomeryshire it reached £7819. In the last-named constituency the unsuccessful candidate spent on vehicles alone £5818, or at the rate of £2 18s. 5d. for each vote cast for him. In some of the boroughs also big sums were spent under this head. For instance, in East Retford vehicular accommodation was provided for the 8000 electors at a cost of £3663.

In earlier years getting the voters to the poll was sometimes attended by rather unpleasant adventures. Outside electors travelling by land or by water on their way to the scene of a contest frequently found themselves belated. Vessels carrying voters, say from London to Ipswich, somehow lost their reckoning and only dis-

covered their error upon reaching Amsterdam. Coaches conveying voters broke down mysteriously. Boots and other indispensable articles of clothing belonging to voters travelling to the poll strangely disappeared from hotels during the night. And, indeed, curious things occur on the day of polling even in these prosaic times. A funny incident happened at the election for the City of Cork in 1895. The contest lay between Parnellites and anti-Parnellites. Four voters were married to ladies whose political views differed from those held by their lords, and on the polling day these gentle dames rose early in the morning and left their respective homes, carrying every stitch of male attire from the house, with the keys, after locking in their unconscious victims. Fate, however, was against the ladies. They had reckoned without the canvasser, who, before the poll closed, discovered the clothesless electors, and having wrapped them in blankets, had them conveyed in carriages to the polling booths, where they arrived just in time to record their votes. Thus does Ireland still maintain its reputation for practical joking at elections. Another amusing incident which happened at the same General Election, in the north of Ireland, is worthy of record. At the Londonderry election, where the contest was very close, every voter literally with life in him was brought to the poll, some in carriages, some in Bath chairs, and one, ten minutes before the close, in a bed. A working man executed a rather smart manœuvre. A warrant for his arrest to undergo two months' imprisonment for wife beating had been out against him for a week past. He was in hiding until the day of the polling, when, huddled in bedclothing and wearing a false beard, he was carried in as an invalid,

and voted. The man, however, was recognised by the agent for the rival candidate, who called the attention of the police to him ; but before the warrant could be obtained he had disappeared.

A candidate, as we have seen, may not now hire vehicles for conveying his supporters to the polling stations ; but there is no limit placed to the gratuitous assistance he may receive in that way from his well-to-do friends. Private traps, broughams, and even equipages of a more magnificent style, are freely given for the occasions, to bring the lame, the halt, the blind, the aged to the polling stations.

At eight o'clock every polling station is closed, and the ballot-boxes are conveyed by the presiding officers to some central building, where the counting takes place under the sole direction and control of the returning officer. The candidates or their agents must not interfere. The returning officer cannot vote at the election ; but if at the end of the count the votes at each side should be equal, he may, if a registered elector, give a casting vote. He also publicly declares the successful candidate duly elected, and forthwith sends the return to the writ of election, on which he has endorsed the name of the member of Parliament for the division, to the Crown Office at Westminster.

But it sometimes happens that the gentleman thus returned as "M.P." does not enjoy these honoured initials long. There may be a successful petition against the election. Any violation of the law by a candidate or his recognised agents, by the returning officer or his subordinates, may be made the ground of a petition. A petition was formerly tried by a Committee of the House of Commons. It is tried now, under the

Parliamentary Elections Act of 1868, by two judges, who report the result to the Speaker. After the General Election of 1880 there were no fewer than ninety-five petitions impugning returns on the ground of intimidation, bribery, or personation, and many were sustained. But after the General Election of 1886 there was not a single petition. The Corrupt Practices Act of 1882, and the Redistribution Act of 1885, which destroyed several small boroughs—always centres of unmitigated corruption—have done much to make our Parliamentary elections pure.

## CHAPTER III

## “M.P.”

THE hurly-burly of the General Election is over ; the six hundred and seventy members who constitute the House of Commons have been duly returned ; and it is well to consider now the pleasures and tribulations, the disadvantages and advantages of a member of Parliament.

Lord Macaulay has described a Parliamentary career as—

A career in which the most its combatants can expect is that by relinquishing liberal studies and social comfort, by passing nights without sleep and summers without one glimpse of the beauties of nature, they may attain that laborious, that invidious, that closely watched slavery which is mocked with the name of power.

Sir George Trevelyan, in his “Life of Lord Macaulay,” corroborates his uncle, and gives us, from personal experience also, a graphic description of what he calls “the tedious and exhaustive routine” of an M.P.’s life during the sitting of Parliament.

Waiting whole evenings to vote [he says] and then walking half a mile at a foot’s pace round and round the crowded lobbies ; dining amidst clamour and confusion, with a division twenty minutes long between two of the mouthfuls ;

trudging home at three in the morning through the slush of a February thaw ; and sitting behind Ministers in the centre of a closely packed bench during the hottest week of the London summer.

If this were a complete picture of Parliamentary life—if M.P.s were such slaves and martyrs to duty as they are here described—it would indeed be difficult to understand why a seat in the House of Commons should be regarded as the highest object of ambition, and be sighed for, and schemed for, and fought for by thousands of able and wide-awake men. Above all, one would be at a loss to comprehend the action of men who, having had experience of Parliamentary life—of its hard and thankless work, of the mental strain it involves, and of its physical inconveniences and discomforts—labour unceasingly, night and day, during the three weeks or a month the General Election lasts, and spend thousands of pounds to induce the electors to send them back again to the weary and dreary round of routine tasks at Westminster. But the truth is, we have been given only the dark features of Parliamentary life. There is a bright side to the picture also. The work of an M.P. is hard, but, as we shall see presently, it has its compensations.

The tribulations of a member of Parliament are undoubtedly many. Dark as is the picture drawn by Macaulay, it could easily be made more forbidding. In the first place, the initial cost of obtaining a seat in the House of Commons is always great. In the “good old-fashioned times,” when bribery was flagrant and avowed, no limit could be placed to the possible cost of a seat in the House of Commons. A borough constituency could not be had, probably, for less than



£5000. A candidate frequently spent £40,000 in wooing the suffrages of the “free and independent electors”—few though they were—of a county constituency; and in many a contest success was won at the cost of bankruptcy and ruin. The most expensive contest recorded in the annals of electioneering was the famous fight in 1807 for the representation of Yorkshire. It is still called “the Austerlitz of Electioneering.” The candidates were Lord Milton, son of Earl Fitzwilliam (Whig); the Hon. Henry Lascelles, son of Lord Harewood (Tory); and William Wilberforce (Radical). The poll was taken in the castle yard at York in thirteen booths, which, according to the existing law, was kept open from 9 A.M. to 5 P.M. for fifteen days. Wilberforce and Milton were returned. The total number of electors who voted was 23,007, and the three candidates spent between them £300,000, or about £13 for each vote polled. The pernicious influence of the purse in Parliamentary contests has, however, been considerably reduced by recent statutes. Candidates are obliged by the Corrupt Practices Act of 1883 (which has fixed a maximum scale of electioneering expenses, varying in amount according to the extent and character of the constituency), to furnish a return of their expenses. The object of that Act is to help to make it easier for poorer men—men who have only talent and character (the two qualities which, after all, best enable M.P.s to serve the State)—to enter the House of Commons; and that it has, with the aid of the Redistribution Act of 1885, which narrowed the area of constituencies, succeeded, to some extent at least, cannot be denied. The General Election of 1880—the last election in which expenditure

was practically unlimited—cost the candidates over £2,000,000, or about fifteen shillings for each vote polled. On the other hand, the General Election of 1885, which followed the Redistribution Act, and was also held under the Corrupt Practices Act of 1883, cost only £1,026,646, or 4s. 5d. for each vote polled.

The tendency of the expenditure is happily still downwards. According to the Blue Book issued in connection with the General Election of 1892, it appears that only £958,532 0s. 1½d., or £170,897 19s. 10½d. less than the maximum scale allowed by the Act of 1883, which is £1,129,430, was spent by the one thousand three hundred and seven candidates who fought for seats in the House of Commons in that electoral campaign. Still, the average expenses of the six hundred and seventy successful candidates were about seven hundred pounds each—a big sum, indeed, to have to pay for the opportunity of giving one's services to the State. But that does not, as a rule, represent a third of the financial cost of the honour and dignity of the office of member of Parliament. Before the contest takes place, the constituency has to be "nursed," with a view to securing the good-will and support of the electors. "Nursing" is a very expensive process. Many a man has spent from one to five thousand pounds a year, for two or even five years before the General Election, in the constituency he aspires to represent. A newspaper has often been run by a prospective candidate at a tremendous loss, ostensibly for the laudable object of supplying the electors with news, but really to keep prominently before them the virtues of the man who is wooing their suffrages, and the grandeur and sublimity of the political principles he supports.

And this process of "nursing" does not end with the election of the "nurse" to the House of Commons. Gratitude, which is well defined, in electioneering matters at least, as a lively sense of favours to come, makes it incumbent on the M.P. to pay careful attention to the wants and wishes of his constituents. He cannot afford to ignore a request from even the humblest and obscurest of electors. His popularity depends, in a large measure, on his mode of dealing with communications from constituents. And knowing the dependent and trammelled position, in that respect, of their member, his constituents make the most extravagant and unreasonable demands on his time and purse. Some idea of the enormous amount of correspondence which members of Parliament have to deal with at the House of Commons itself, may be gathered from the statement that something like thirty-two thousand letters and nineteen thousand telegrams are received and despatched every week during the session. Begging letters form no small part of this vast mass of correspondence. Time was when a member of Parliament had some patronage to distribute in the way of posts in the Customs, the Excise and other Civil departments of the State, if the party he supported were in power—a sort of small change to scatter amongst the electors. But that time is gone and for ever. The establishment of open competition for posts in the Civil Service did away with these gifts to constituents by which members rewarded past services and secured future support. The only patronage now at the disposal of an M.P., when his party is in office, is the nomination to any vacant sub-post-office in his constituency—an eventuality which seldom arises, greatly to the relief of our representatives, because for the one

friend they secure in the successful person in such transactions, they make twenty enemies among those who are disappointed.

It would seem, however, as if a large number of the electors are still under the impression that their representatives have abundance of nice, fat, comfortable posts at their disposal. Members of Parliament are consequently inundated with demands from supporters for posts for their sons and daughters as clerks and messengers to the House of Commons, typists in the different State departments, boatmen in the Customs service, private secretaries, and countless other positions outside of Parliament and the Civil Service, which it is believed the influence of our legislators could easily procure.

Then there are the letters from constituents—half pathetic and half laughable—from fathers of families who are visited with illness and distress, and require pecuniary assistance; from tradesmen on the verge of bankruptcy, who could be restored to a sound financial position by a loan of fifty pounds; and from exemplary young men about to marry who plead that they could spend a pleasant week in London honeymooning if their member only supplied the necessary five-pound note. They would even call at the House of Commons and introduce their brides to the member, if he complied with their simple request. And there is always an inevitable P.S. to such letters, “If you cannot spare £5 I would take £2 10s.” What member of Parliament is there who is not also familiar with the dear old friend who knew him thirty years ago, and who as things have not gone very well with him recently, desires to find solace for his troubles in the renewal of the pleasant acquaintanceship; or the young man whose father and his father were “chums”—a fact

which somehow has not saved this son of the friend of his parent from getting heavily into debt, and making free with the moneys of his employer, and who now with horrible visions of handcuffs and treadmills disturbing his sleep o' nights makes tragic appeals for a loan ("only a loan") to enable him to return, regenerated, to the paths of virtue. Then there are the widows of electors who have been left with marriageable daughters, and want to know whether husbands for them cannot be found, if not among the members, at least among the policemen on duty about the House; tradesmen who send on samples of their goods—whiskies, walking-sticks, and even perambulators (if the announcement of an interesting event in the member's family has been published)—with requests for testimonials; ingenious persons who have invented mixtures, pellets and appliances for transforming a hoarse voice into a voice silvery, ringing, and resonant, and making the dull and turgid speaker clear and eloquent. In fact the impudence of man and of woman also, is exhibited in all its sublimity in the begging-letter section of an M.P.'s correspondence.

Cobden, in a letter to a friend, written early in 1846, when his name as the leader of the agitation for the repeal of the Corn Laws was in all men's mouths, gives us an amusing glimpse into the letter-bag of an M.P.

The next time I meet Dickens or Jerrold [he writes] I shall assuredly give them a hint for a new hero of the stage or the novel—"The Popular Man."

He then goes on to say:

First, half the mad people in the country who are still at large, and they are legion, address their incoherent

ravings to the most notorious man of the hour. Next, the kindred tribe who think themselves poets, who are more difficult than the mad people to deal with, send their doggerel and solicit subscriptions to their volumes, with occasional requests to be allowed to dedicate them. Then there are the Jeremy Diddlers, who begin their epistles with high-flown compliments upon my services to the millions, and always wind up with a request that I will bestow a trifle upon the individual who ventures to lay his distressing case before me. To add to my miseries, people have now got an idea that I am influential with the Government, and the small place-hunters are at me. Yesterday a man wrote from Yorkshire, wanting the situation of a gauger, and to-day a person in Herts requests me to procure him a place in the post-office. Then there are all the benevolent enthusiasts who have their pet reforms, who think that because a man has sacrificed himself in mind, body, and estate, in attempting to do one thing, he is the very person to do all the rest. These good people dog me with their projects. Nothing, in their eyes, is impossible in my hands. One worthy man calls to assure me that I can reform the Church and unite the Wesleys with the Establishment.

Cobden enclosed a specimen of the begging-letters he was accustomed to receive. It was from a lady asking him to become her "generous and noble-minded benefactor." As she desired to begin to do something for herself, she hoped he would procure her "a loan of £5000 to enable her to rear poultry for London and other large market towns."

In another letter, written July 14, 1846, after the taxes on bread stuffs had been repealed, and the Corn Law League disbanded, Cobden says :

I thought I should be allowed to be forgotten after my

address to my constituents. But every post brings me twenty or thirty letters—and such letters ! I am teased to death by place-hunters of every degree, who wish me to procure them Government appointments. Brothers of peers—aye, “ honorables ”—are amongst the number. I have but one answer for all—“ I would not ask a favour of the Ministry to serve my own brother.” I often think what must be the fate of Lord John, or Peel, with half the needy aristocracy knocking at the Treasury doors.

Even in adversity Cobden was pursued by letter writers. In the General Election of 1857 he stood for Huddersfield and was defeated. Bright also fell at Manchester. Both had opposed the Crimean War, and, popular heroes though they had been a few years earlier, both went down before the war-passion which then swept the country. “ I am pestered,” writes Cobden, “ with innumerable letters from kind people who have taken up the notion that I must require encouragement and condolence. And they have all sorts of projects ready cut and dry for me, as if I could begin a life of agitation again, and repeat the labours of my prime, now that I am past the zenith.”

The temptations of a member of Parliament are also numerous and exasperating. He is frequently offered bribes if he will allow his name to be used in the floating of some company, or in the advertising of some article of common use or patent medicine ; if he will use his influence in obtaining a Government contract for a certain firm, or in securing for some person a post in the gift of one of the Ministers. In a recent debate in the House of Commons on the payment of members, Mr. John Burns created much amusement by reading his reply to an offer of fifty pounds made by a

person in Belfast if he succeeded in obtaining for him a vacant collectorship of taxes. "Sir," replied Mr. Burns, "you are a scoundrel. I wish you were within reach of my boot."

Our legislators are also flooded with appeals in aid of funds for churches, chapels, mission halls, schools, working-men's institutes, political clubs, hospitals, asylums, and institutions of all kinds; and although many of them may never have played cricket or football, or run a race in their lives, and would not trust themselves on bicycles any more than on wild mustangs, they are expected to become patrons and presidents (paying substantial donations for the honour) of every athletic, cricket, football and bicycle club in their constituencies. Then there are many local functions—religious, social, and political—to which they are invited. Whenever a meeting for any purpose is being organised in a constituency, the first thought is to try to get the member to attend. The more conspicuous he is in Parliament, and therefore the more likely to attract an audience, the greater is the volume of these invitations which pour in upon him week after week, and the more widespread is the disappointment and dissatisfaction among his constituents if he does not attend. He is expected to preside at smoking concerts and local political dinners, to attend picnics and fêtes of friendly societies, to visit local clubs, to open bazaars, and to say a few words at charity performances and mixed entertainments of a political character, at which he is sandwiched between sentimental and comic singers, and is forced to imbibe numberless cups of inferior tea.

The constitutional relations between a member of Parliament and his constituents is a subject that has



exercised the minds of political thinkers. Is he a representative or a delegate? Is he a mere agent appointed to express the desires and will of his constituents in Parliament, or may he exercise his own judgment on things as a substantive and separate authority, independent of those who sent him to Parliament? Edmund Burke gave expression to his views on this interesting question at Bristol, during the General Election of 1774, in a speech that is memorable in the political literature of the kingdom.

It ought [he said] to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him, their opinion high respect, their business unremitted attention. It is his duty to sacrifice his repose, his pleasures, his satisfaction to theirs; and above all, in all cases to prefer their interest to his own.

So far so good. But there is a qualification which now comes in.

But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. These he does not derive from your pleasure; no, nor from the law and the Constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you not his industry only, but his judgment, and he betrays instead of serving you, if he sacrifices it to your opinions.

Parliament [he went on, in another splendid passage] is not a congress of ambassadors from different and hostile interests, which interests each must maintain as an agent

and advocate against other agents and advocates ; but Parliament is a deliberative assembly of one nation, with one interest, that of the whole, where not local purposes, not local prejudices, ought to guide, but the general good resulting from the general reason of the whole. You choose a member indeed ; but when you have chosen him he is not member for Bristol, but he is a member of Parliament. If the local constituent should have an interest, or should form a hasty opinion, evidently opposite to the real good of the rest of the community, the member for that place ought to be as far as any other from any endeavour to give it effect.

Macaulay held similar views. He refused, as we have seen, to canvass the electors at Leeds. He also refused to give any pledges.

Just as a physician understands medicine better than an ordinary man [he wrote], just as a shoemaker makes shoes better than an ordinary man, so a person whose life is passed in transacting affairs of State becomes a better statesman than an ordinary man. In politics as well as every other department of life the public ought to have the means of checking those who serve it. If a man finds that he derives no benefit from the prescription of his physician, he calls in another. If his shoes do not fit him, he changes his shoemaker. But when he has called in a physician of whom he has heard a good report, and whose general practice he believes to be judicious, it would be absurd in him to tie down that physician to order particular pills and particular draughts. While he continues to be the customer of a shoemaker it would be absurd in him to sit by and note every motion of that shoemaker's hand. And in the same manner it would, I think, be absurd in him to require positive pledges and to exact daily and hourly obedience from his representative.

But these really are counsels of perfection. No member of Parliament can, in our days, afford to live up to so high an ideal of his public duty. It is not in human nature for a man who has reached, through the expensive and worrying ordeal of an election, the prize of his ambition, a seat in the House of Commons, and who naturally desires to retain it as long as possible, to look down upon his constituents from the high moral altitude of Burke and Macaulay; and to flout the will of his constituents, when he knows that a day of reckoning is certain. At the General Election his constituents would hunt such a representative ignominiously from amongst them with cries of "traitor" ringing in his ears, and perhaps unsavoury missiles flying about his person. Indeed, this theory that the people in electing a representative surrender their power to him for the period of Parliament, and that he is bound to exercise his judgment independently of the wishes of his constituents, which generally prevailed amongst statesmen of the days of Burke and Macaulay, was never accepted by the people. Burke was elected for Bristol in 1774, but the opinions he expressed in the House of Commons on the public questions of the day were not the views of his constituents, and at the General Election of 1780 he was brought to account.

I did not obey your instructions [he exclaimed, in a speech to the electors]. No; I conformed to the instructions of truth and nature, and maintained your interest against your opinions with a constancy that became me. And now, gentlemen [he went on, in passages of wonderful eloquence and rare nobility], on this serious day, when I come as it were to make up my account with you, let me take to myself some degree of honest pride on the nature

of the charges that are against me. I do not here stand before you accused of venality or of neglect of duty. It is not said that in the long period of my service I have in a single instance sacrificed the slightest of your interests to my ambition or to my fortune. It is not alleged that to gratify any anger or revenge of my own, or of my party, I have had a share in wronging or oppressing any description of men, or any one man in any description. No! the charges against me are all of one kind: that I have pushed the principles of general justice and benevolence too far, farther than a cautious policy would warrant, and farther than the opinions of many would go along with me. In every accident which may happen through life—in pain, in sorrow, in depression and distress—I will call to mind this accusation and be comforted.

But the tide of prejudice against him was too strong; he had to retire badly beaten from the contest!

The electors of Bristol have often been censured, and very properly censured, for their narrow-mindedness and intolerance in dismissing Burke. A century has passed since then—a hundred years of steady progress in enlightenment, tolerance, and magnanimity; but where is the constituency to-day ready to elect a representative opposed to its political views? There is nothing more certain than that Burke would be rejected at Bristol to-day as he was a century ago, unless he looked eye to eye with the majority of the electors at the political questions of our time. The truth is that the people everywhere regard members of Parliament as their legislative agents, and insist that their wishes, and not the individual opinions of their representatives, shall prevail in the House of Com-

mons. But an M.P. is not altogether at the mercy of the whims and caprices of his constituency. The influence of party is supreme in the land, and that influence often saves a representative from being made the mere agent of the particularist, or sectional, or local will of his constituency. In fact, a member of Parliament is to-day not so much the delegate of a constituency as the nominee of a political party. He is returned to support the principles of one political party or the other in the House of Commons. Occasionally a representative is hard pressed by sectional interests, or local demands; so much so, indeed, that Mr. Goschen once—voicing the feelings of many M.P.s—uttered an intense cry for “liberty from the tyranny of the pressure of interests.” But, as a rule, local considerations and sectional objects are held to be subsidiary to the interests of party—to the aim of each party to secure or retain the machinery of Government. The free judgment of a member of Parliament is more or less shackled by the pledges now universally demanded at the General Election, and now freely given—without the representative thinking that in doing so he is deviating in the slightest degree from the strict line of his public duty; but the shackles are imposed in the interest of a political party, and not for the local behoof of the constituency.

And yet, with all his attention to the desires, reasonable and unreasonable; the whims, the fads, and caprices of his constituents, what M.P. can truly say that his seat is safe? Difficult as it is to get into Parliament, to remain there is still less easy. The insecurity of the tenure by which a seat in the House is held, is, perhaps, the greatest drawback of Parlia-

mentary life. A man with ambition and talent for office has done splendid service for his party in Opposition. The General Election comes; his party is victorious, but he himself has lost his seat; and he has the mortification of seeing another receive the portfolio which would have been his in happier circumstances. To such a man who has had experience of the intoxicating delights of a Parliamentary career, and who had hoped to make politics a profession, life outside the House is barren, dreary, and intolerable. And yet—such are the uncertainties of elections—he may never again cross the charmed threshold of the House of Commons.

Macaulay, writing to his sister, Hannah (subsequently Lady Trevelyan), on June 17, 1833, after he had been a few years in the House of Commons, says:

I begin to wonder what the fascination is which attracts men who could sit over their tea and their book in their own cool, quiet room to breathe bad air, hear bad speeches, lounge up and down the long gallery, and doze uneasily on the green benches till three in the morning. Thank God, these luxuries are not necessary for me. My pen is sufficient for my support, and my sister's company is sufficient for my happiness. Only let me see her well and cheerful, and let offices in Government and seats in Parliament go to those who care for them. If I were to leave public life to-morrow, I declare that, except for the vexation which it might give you and one or two others, the event would not be in the slightest degree painful to me.

But Parliamentary life, notwithstanding all its drawbacks, has a fascination which few men who have once

breathed its intoxicating atmosphere can successfully resist. Most men quit the House with pain and regret; they long with the deepest longing to get back again; and they cannot complacently settle down to private life.

I am going into the wilderness to pray for a return of the taste I once possessed for nature and simple, quiet life [wrote Cobden, from a retreat in Wales, in July 1846, after the object of his Parliamentary career, the repeal of the Corn Laws, had been achieved]. Here I am, one day from Manchester, in the loveliest valley out of Paradise. Ten years ago, before I was an agitator, I spent a day or two in this house. Comparing my sensations now with those I then experienced, I feel how much I have lost in winning public fame. The rough tempest has spoiled me for the quiet haven. I feel I shall never be able to cast anchor again. It seems as if some mesmeric hand were on my brain, or that I was possessed by an unquiet fiend urging me forward in spite of myself.

Even the old war-worn agitators who have retired from the arena, often wish to be back again amid the shoutings of the rival parties, and the trampings through the division lobbies. Lady Trevelyan, writing in her son's life of her brother, Lord Macaulay, states that in 1830 she was staying at Mr. William Wilberforce's, at Highwood Hill, when she received a letter from Macaulay, enclosing one from Lord Lansdowne, offering him the vacant seat in the pocket borough of Calne. She showed Lansdowne's letter to Wilberforce. "He was silent for a moment," she writes, "and then his mobile face lighted up, and he slapped his hand to his ear, and cried: 'Ah, I hear that shout again. Hear, hear! What a life it was!'"

“I have met Englishmen who lost their seats at the General Election, and who discussed the disaster as pathetically as if they had lost an arm or an eye.” So writes Mr. William O’Brien in the *Contemporary Review* for June 1896. He, however, regarded the termination or interruption of his Parliamentary career with different feelings. “They looked,” he says, “as if they wanted to make sure that they were not being jested with when I told them that to hear Big Ben chiming the quarters once more, melodiously though it clanged over the wide spreading river, sounded to my ears like the summons of the morning prison bell in Tullamore rousing me to another of those long, long, weary days.” But then the lot of an Irish member of Parliament has many disadvantages not associated with the position of an English member of Parliament. For one thing, the police of Ireland regard members of Parliament with curious contempt. The *Irish Times* of Dublin was represented at a proclaimed meeting—that is, a political gathering suppressed by the authorities—at Ennis, in 1889, by a reporter who wore a tall hat. In the *mêlée* a policeman smashed the hat with a blow of his baton. “What did you do that for?” asked the reporter, indignantly; “I am a member of the Press.” “Oh, I beg your pardon,” said the constable, most apologetically and humbly; “sure, I thought you were a member of Parliament.” Even a Cabinet Minister is “no great things” in the eyes of an Irish policeman. A well-known lady *en route* to the first drawing-room given by the Countess Cadogan in Dublin Castle, in 1896, found herself hopelessly blocked in a long line of carriages containing those unimportant people who had not the *entrée* to which she herself was entitled. Much annoyed



that the policeman on duty would not allow her to break through the crowd of vehicles around her, she leant out of the carriage window and said to him in somewhat imperious tones, “ Perhaps you do not know that I am the wife of a Cabinet Minister ? ” “ If you were the wife of a Presbyterian minister,” replied the constable, “ I could not let you pass ! ”

There is no doubt that most of the men who aspire to seats in the House of Commons do so with an honest and genuine desire to serve the State, to benefit the community, to promote that primary object of good government, “ the greatest happiness of the greatest number.” These they rightly consider to be the chief functions of a legislator ; and in the first flush of their enthusiasm after election, many of them intrepidly and zealously set about informing themselves on the subjects that are likely to engage the attention of Parliament. They soon discover, however, that to do this properly would leave them very little time for anything else. Every M.P. finds his breakfast-table heaped each morning during the Session with an enormous pile of Parliamentary papers, such as Blue-books, Bills, reports, returns, and other documents. Blue-books are universally admitted to be not very exciting reading, and eighty volumes—ominously ponderous and portentously dull—are on an average issued every year, all of them demanding the immediate attention of the conscientious legislator. The Bills, or embryo Acts of Parliament, are more inviting, embodying, as they do, the fads and hobbies entertained by the 670 members of the House of Commons. About 300 of these Bills are introduced every session, and are printed and circulated amongst members, who are expected to

make themselves acquainted with their provisions. Most of them, perhaps, give up the task in despair; and instead of attempting to arrive at independent conclusions by personal investigation and study, largely rely on the speeches of their political leaders to direct them on the right path in regard to the public questions of the day. But it is not all plain sailing even when that lazy course is taken. "The worst effect on myself resulting from listening to the debates in Parliament," wrote Monckton Milnes (Lord Houghton), "is that it prevents me from forming any clear political opinion on any subject."

One of the cruel disappointments in the career of an M.P., who aspires "the listening senate to command," is that, after devoting days and nights to the manufacture of antitheses, epigrams, and other flowers of rhetoric for his speech in a great debate, he patiently sits night after night, during the time allotted for the debate, on the pounce to "catch the Speaker's eye," but fails to fix the attention of that wandering orb; while he hears his arguments and his illustrations used by other men, who had probably gone to the same source for them; until at last the end comes without an opportunity having been afforded him of relieving his mind of the weighty unspoken speech which oppresses it. Then his constituents complain that he is a useless "silent member," if they do not see his name figuring in the newspaper reports. They are convinced he is neglecting his duty. And what consolation is it to him to think of the old saying that "they are the wisest part of Parliament who use the greatest silence;" or of the opinion of the party leaders—especially the leaders of the party in office—that he is the most useful of

members who never takes part in the debates, but is ever at hand to record his vote when the division bells ring out their alarm?

There was once a member of the representative chamber who declared that his invariable rule was never to be present at a debate or absent at a division. He had only once in his long political life ventured to vote according to his conscience; and he had found that on that occasion he had voted wrong. It is true that this model Ministerialist or supporter of the party in office, flourished in the long, long ago. But the member who always votes at his party's call and never dreams of thinking for himself at all is not yet extinct, and indeed is likely to be always with us. It must, however, be a sore tribulation to many an M.P. to find his opinions dictated by his leaders and his movements controlled by the Whips. Party discipline is very strict, and violations of it, however slight, are rarely condoned. If a member is bold enough to take an independent stand in regard to any of the political questions of the day, his speech in the House, explaining his position, is received with scoffs and jeers by his colleagues, and, what is perhaps more uncomfortable, with approving cheers by members on the other side. Such action is often evidence of a good patriot; but in the House of Commons it is commonly regarded as proof of a crank and a faddist, and he who takes it is severely "cut" by his party. Again, strongly worded and heavily underscored communications, demanding his immediate attendance at Westminster, are frequently delivered to him at the most inopportune moments—when he is just sitting down to a delightful little dinner, or about to leave his house for a pleasant night at the

Gaiety Theatre—and if, yielding to the temptations of the flesh, he ignores this peremptory call of political duty, he is held guilty of a grave breach of discipline. His past services are forgotten, he gets a solemn lecture from the Chief Whip on the enormity of his offence ; and, mayhap, his name is published in an official “black list” of defaulters, or he comes across a nasty little paragraph exposing his neglect of duty in the local newspaper which most widely circulates among his constituents.

But, happily, when the litany of the tribulations, vexations and disappointments of an M.P. is exhausted, there remain to be told many countervailing pleasures and advantages, which make the prize, in many respects the dazzling prize, of a seat in the House of Commons well worth the physical labour and mental worry involved in winning it, and retaining it.

A member of the House of Commons is allowed to attach to his name the magic letters “M.P.,” which are a source of natural pride and gratification to himself, and secure for him the respect and deference of others. These initials undoubtedly contribute, too, to his social status. They carry with them considerable social distinction. Doors of circles, hitherto locked and barred, are open wide to him, to his wife and daughters ; and invitations to functions in the houses of the great and wealthy members of his party reach him during the Session. Then, he is a member of “the best club in London.” It is, indeed, frequently denied that the House of Commons still maintains that pre-eminence as a social haunt of men, which, it is universally acknowledged, once rightly belonged to it. As a matter of fact, the House is more of a club now than it has ever

been in its centuried existence. It is provided with handsome dining-rooms, smoking-rooms, reading-rooms; only last year it advanced another important stage in its continuous development and progress as a club, by having a suite of bath-rooms and dressing-rooms added to its *entourage*. In its smoking-room, by all accounts, may be met, in the pleasant relaxation of chat and gossip, not only some of the most distinguished men in the kingdom, but a far greater variety of types of men than can be encountered in the smoking-room of any club in London. Mr. Labouchere, indeed, has said a couple of hours could be passed far more enjoyably in the smoking-room of the House of Commons than in the smoking-room of the Carlton or Reform Club. It was the member for Northampton also who declared that the House of Commons was not only one of the pleasantest, but one of the healthiest places in the world, and that he far preferred a month on its green benches to a month on the promenade of Brighton.

Many members of Parliament undoubtedly obtain pleasure and excitement from several of the experiences set out in the record of their worries and tribulations. Their extensive and varied correspondence, with all its manifestations of strange phases of human nature, is a source of entertainment to some, and its effect on others is that it tickles their sense of self-importance. Some M.P.s even like to be interviewed by well-known frequenters of the outer lobby, such as the old lady who alleged that the Crown had robbed her of £3,000,000, and the engineer with a scheme for connecting Ireland with Great Britain by a bridge, thrown across the Channel *viâ* the Isle of Man. To some members, invitations from constituents to attend bazaars, flower

shows, tea meetings, smoking concerts, are perhaps the most exasperating torments of Parliamentary life. Others welcome them as flattering testimonies to their popularity with their constituents, and make it a point to accept every one of them. At the last General Election one candidate issued a very interesting card in support of his appeal for a renewal of the confidence of the constituency. It set forth, not the measures he had advocated by his voice and supported by his vote, not the legislation he had helped to improve, to carry, or to defeat, but the meetings and dinners and flower-shows he had attended on the invitation of electors. Here it is :

1. Political meetings held in every corner of this great division . . . . . 53

Irrespective of party, at the request of his constituents :

2. Concerts and dinners . . . . .	38
3. Friendly societies' meetings . . . . .	18
4. Bazaars and flowers shows . . . . .	23
5. Athletic meetings . . . . .	4

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If you think Mr. ——'s efforts, as detailed above, a fulfilment of his pledge to serve the constituency to the best of his ability, please do not fail to record your vote in his favour.

There is a popular belief that members are paid five guineas per day for their attendance on Select Committees, but it is utterly unfounded. This is the only country where members of Parliament—except those who hold offices in the Government—receive absolutely no pecuniary emoluments in return

for their services to the State. It is true that in Italy, as in Spain, senators and deputies receive no salary, but then they are allowed travelling expenses and enjoy many immunities and advantages, which make their membership a position of financial interest. In Greece the senators get £20 per month and the deputies £10; in France, members of each House receive £1 per day; in Denmark, about 16s. per day; in Germany, about 10s. 6d. per day. In Austria the pay is £1 per day. In Belgium each member of the Chamber of Representatives gets £17 per month. In Portugal the peers and commoners are paid an equal sum, which is about £67 a year. In Switzerland, members of the National Council get 10s. 6d. daily, and the Council of State (the Lower House) about 6s. In the United States every senator and member of the House of Representatives receives £1000 per annum, besides a mileage allowance, at the rate of 10d. a mile, for travelling expenses to and from Washington, and £25 a year for stationery. In Victoria, M.P.s are paid £240 a year. But if payment of members is not a feature of our representative system, every member—and especially the young, and able, and ambitious—has a chance of an office in an Administration; and nice fat salaries—though, indeed, in no case more than the work to be done warrants—are attached to these positions.

It is not, however, the salaries, but the offices which carry these emoluments, that, happily, most of the young and ambitious members of Parliament desire to attain. The possession of a post—even the humblest in the Administration—carries with it a seat on the Treasury Bench, cheek by jowl with eminent statesmen whose names are household words in the land;

and the right, when addressing the House, to stand before the famous despatch-box, to lean on it, and even to thump it, as a relief to the feelings in the very passion of the argument, as it has been thumped by Lord John Russell, Lord Palmerston, Mr. Disraeli, Mr. Gladstone, and other famous Parliamentarians. The competition for the higher offices in the Administration is, it is true, keen and fierce. The House of Commons is by no means free from intrigue, jealousy, envy, greed; and the qualities of strength of will and tenacity of purpose are requisite in an ambitious member if he is to save himself from being pushed aside, if not knocked down and trodden upon, in the race for place. But once on the Treasury Bench, half the battle for an office in the very hierarchy of the Administration, with a seat in the Cabinet, is won. "Yes," said Disraeli, "I have climbed to the top of the greasy pole," as an old acquaintance, meeting him within a few days of his first Premiership, congratulated him on his triumph. When a member is admitted within that holy of holies, the Cabinet, he may attempt to climb "the greasy pole."

There are other material advantages attached to a seat in the House of Commons, apart from the prospect of obtaining office in an Administration. The demand for M.P.s as directors of companies is always brisk, though of late, since the untold ruin and misery created by the failure of the Jabez Balfour companies, this means of adding to income is very properly discountenanced and looked upon with distrust and aversion by the vast majority of the members. A barrister-at-law also finds that a seat in the House of Commons materially advances his position in his profession; and if he succeeds in distinguishing himself in debate the



great prize of a place on the Judicial Bench is always in the offing. "I wrote books for twenty years," I have heard of an author saying, "and I was nobody; I got into Parliament, and before I had taken my seat I had become somebody." Finally, to every member of Parliament these two privileges are given: a seat in St. Margaret's Church, and a reader's ticket for the library of the British Museum without the otherwise essential recommendation of a London householder.

But many men enter the House of Commons without any social or political ambition. Every General Election sends to the House a fresh contingent of old men who, having spent themselves in trade and commerce, take to politics in their old age as a mild relaxation or a means of prolonging life. There is a story told of a great mercantile magnate who, when he left for ever his desk in the City, after an association of half a century, found the separation a terrible strain, and was likely to pine and mope his way to an early grave. His medical adviser recommended him to take up politics as a hobby and secure a seat in the House of Commons. But the old man did not like the idea. He knew nothing of politics. The financial intelligence was the only portion of his morning paper he had read for fifty years. "If you do not go into the House of Commons you will have to go to Paradise," said the doctor; "it is the only alternative." "Then I will choose the House of Commons," said the old City man.

To sit silently on the green benches during a debate, save when they cheer a member of their party, or roar at an opponent, and to walk through the division lobbies, as directed by the Whips, when the question is put, amply satisfies the ambition of such men. They

seem to grow younger every day of their Parliamentary life. Disraeli once said to a friend who had just entered the House of Commons: "You have chosen the only career in which a man is never old. A statesman can feel and inspire interest longer than any other man." A seat in the House of Commons does not, it is true, make one a statesman. But as a general proposition, Disraeli's declaration has much truth in it. There is no doubt that old men seem to find the fountain of youth in the halls of Parliament. Above all, however disappointed a member may be in his dreams of personal ambition, and in his schemes of pet legislation, there is the ever-present and consoling thought that he exercises a potent voice—or perhaps I should say vote—in the Government of the greatest and mightiest Empire in the world.

## CHAPTER IV

## THE PALACE OF WESTMINSTER

MOST visitors to the Palace of Westminster reach it by Whitehall or Victoria Street. This side of the noble Gothic edifice, which contains the entrances to both Houses of Parliament, is more picturesque but less imposing perhaps than the river front. The harmonious inclusion of Westminster Hall—the only overground portion of the old Palace saved from the disastrous fire of 1834—in the new edifice, enforced the breaking up of this, the western or land front, into a variety of facades, ending in the great Victoria Tower. The light and shade produced by the blending of the massive grey masonry of the Great Hall, with the soft Gothic gracefulness of the new edifice, is very beautiful, the effect being heightened by the close contiguity of the venerable Abbey, and the fine open grassy space, with its bright-hued flower-beds, and its statues of great Victorian statesmen—Sir Robert Peel, Lord Palmerston, the Earl of Derby, and Lord Beaconsfield—which fronts the Palace.

But the most imposing view of this great temple of legislation is obtained from the river. Standing beneath the aged and hoary pile of Lambeth Palace and looking across the broad waters of the Thames, especially when that mighty waterway is at a full tide, one realises the

full magnificence of the Palace of Westminster. The grandeur of this splendid architectural triumph—for which we are indebted to the constructive genius of Charles Barry, and the graceful fancy of Augustus Welby Pugin—grows upon you as you examine it in detail. The stately regularity of the river facade, its extent and uniform symmetry, the lightness, the grace, the beauty of its stone carving, are most impressive. At the nearer end is the Victoria Tower, standing 75 feet square, and rising to the gigantic elevation of 350 feet, surmounted by an immense flag-staff, from which the Union Jack flies daily during the Session. At the far end and abutting on Westminster Bridge, rises the graceful Clock Tower containing “Big Ben,” while between is a picturesque variety of other towers and spires and pinnacles.

There, is, probably, no feature of mighty London so widely known in the metropolis, and also so familiar—by name at least—in the provinces, as the famous clock of the Houses of Parliament. No visitor to London would think of returning home without having seen “Big Ben,” and heard him chiming the quarters, and booming out the hour. During the summer season hundreds of thousands of strangers from the provinces and from far-off lands gaze up at his massive, honest face, and then go home happy and contented. They are proud and delighted to have made the acquaintance of such a London celebrity as “Big Ben.”

The tower in which “Big Ben” is housed is forty feet square, and as its spire rises to a height of 320 feet, it is the loftiest belfry in London. The clock tower of the old Palace of Westminster stood on the same site. The clock the old tower contained was known as “Tom

of Westminster." A quaint and curious story is told of its origin. It was built in the reign of Edward I., and its expense was defrayed from a fine imposed on Ralph de Hingham, Chief Justice of England, because of an unjust legal decision he delivered. "Its intent," says an old chronicler, "was, by the clock striking continually, to remind the judges of the neighbouring courts to administer true justice, they calling thereby to mind the occasion and means of its building." After the tower was destroyed, the bell, "Tom of Westminster," was given by William III. to the Dean and Chapter of St. Paul's, and from its metal the great bell of the national cathedral was cast.

The clock which is now known as "Big Ben"—for the title has been transferred from the bell to the clock, or rather embraces both—was constructed under the direction of Sir G. B. Airy, K.C.B., late Astronomer Royal, and cost £8734. It is the largest clock in the world. Most of its works are of cast-iron. Each of the four dials is  $22\frac{1}{2}$  feet in diameter, and each weighs about four tons, exclusive of the heavy glass with which it is glazed. The minute hands are fourteen feet in length, and the hour hand, from the centre of the dial to its extreme point, is six feet. The minute division of the circumference of each dial measures fourteen inches. Seventy-two gas jets are employed to light up the dials at night. The time of the clock is set by electric communication with Greenwich Observatory. The clock has a large bell to toll the hours, and four smaller ones to chime the quarters. The first large bell was called "Big Ben," after Sir Benjamin Hall, who was First Commissioner of Works when the Clock Tower was erected. It weighed sixteen tons, and had a clapper

weighing 12 cwt. After immense trouble, and a large sum of money had been expended, this mighty bell was swung in the belfry of the tower. But it was only a few months in use when it cracked, and had to be taken down again. The present "Big Ben"—the second of his royal line—was placed in the Clock Tower in 1858.

The utmost pains were taken in the casting of the bell to ensure a perfect tone. But the Rev. H. H. Haweis, the well-known author of "Music and Morals," has declared that, from a musical point of view, "Big Ben" is "a disgrace to the nation." That certainly is rather rough on our dear old friend.

To think [writes Mr. Haweis] that the Lords and Commons should have sat for thirty years under the hoarse, gong-like roar of that brazen fiend and listened to the quarters timing the dreary periods of Parliamentary oratory, without any sense of shame or annoyance, and still dare to call themselves the representatives of a musical people! The thing is absurd!

But that is not all. Mr. Haweis declares that whistling is a lost art among the youths of London. He ascribes it to the corruption of the musical nature of our youths, brought about by listening to "Big Ben" and his four discordant quarters!

It is not generally known that the present "Big Ben" has met with the fate of his predecessor. He also has been cracked by his own clapper! For all that, most people will agree that there are few things more impressive than "Big Ben" booming out the hour of twelve in his slow, measured, and solemn tones at midnight, when the roar of the City is hushed in slumber.

The tower, particularly the stage in which the clock is set, is embellished with the most delicate carving; and surmounted, as it is, by a beautiful gilded lantern spire, is a very imposing and handsome piece of architectural work. During the Session of Parliament a brilliant steady light, blazing from a lantern over "Big Ben"—280 feet above the roadway—may be seen at night in most parts of the Metropolis. It indicates that the House of Commons is sitting. So long as our representatives are in conclave, the light flashes its white flame through the darkness of the night. It vanishes the moment the House adjourns. A wire runs from the apparatus containing the light right down to a chamber beneath the floor of the House of Commons. A man is stationed there during the evening, and when the Speaker's question, "That this House do now adjourn," is agreed to, he pulls a switch, which instantly extinguishes the light on the Clock Tower.

It is true the present Palace of Westminster was opened only forty-three years ago. But the site it occupies is old historic ground. The associations of the departed centuries still cluster round the place; and it is impossible to look upon these imposing buildings without a throbbing heart and a quickened pulse, as the stirring scenes and episodes of the mighty past enacted upon this very ground crowd upon the recollection. Here for centuries were not only the Houses of Parliament, but the palaces of the Sovereigns; and the principal courts of justice of the realm. Canute the Great, the first of the Danish kings who reigned by right of conquest, from 1017 to 1035, was also the first monarch to make his home by the pleasant waters of the Thames, and amid the verdant pastures of West-

minster. What his palace was like, we know not. It was burned down just before the Saxons regained the throne again, in 1042, in the person of Edward the Confessor. Edward, desiring to live near his beloved Abbey, rebuilt the palace, and had it completed in time to receive there, with lavish welcome, the Duke of Normandy, who was destined to succeed him as William the Conqueror, in 1066. Other Sovereigns added to the buildings, but as these were almost completely destroyed by fire in 1512, early in the reign of Henry VIII., that monarch allowed them to fall into ruin and decay; and finally, in 1530, on the fall of Cardinal Wolsey (Archbishop of York), he deserted the Palace of Westminster for York House, to which he gave the name of Whitehall. The Palace of Westminster was never afterwards used as the metropolitan residence of the Sovereigns of England. The Law Courts were fixed at Westminster by Edward I. towards the end of the thirteenth century. The judges presided in Westminster Hall until 1738. In that year new buildings, off the Hall on its west side, were opened for their accommodation, and here the courts were held until 1880, when the new Palace of Justice in the Strand was completed.

But it is with Parliament that Westminster is most closely associated. For six centuries now Westminster has been the seat of Parliament. Edward I., "the great law giver," issued a special summons to the prelates, and to the nobles—then consisting of seven earls, and forty-one barons—to meet him in council; while to the sheriffs of each county writs were sent, bidding them to cause the election of two knights for each shire, two citizens for each city, two burgesses for each



borough; and thus, for the first time, the representative principle was recognised in calling together an assembly of the magnates and wise men of the realm. This Parliament met at Westminster on November 27, 1295. It has been truly named the Great or Model Parliament. For close on a century the three estates of the realm—the prelates, the nobles, and the commons—deliberated together as one Common Council. The division of Parliament into two Houses—one for the Lords, spiritual and temporal, and the other for the Commons; both, however, forming the one Legislature, with the Sovereign at its head—took place in 1377, the last year of the reign of Edward III. The Commons, having elected Sir William Hungerford as their first Speaker, assembled in the Chapter House of Westminster Abbey. Their next place of meeting was Westminster Hall, within which the Courts of Law then also sat, and finally St. Stephen's Chapel was assigned to them by Edward VI. in 1550.

This edifice continued to be used by the House of Commons till it was destroyed in the fire of 1834. It was built by Edward III. after his succession to the throne in 1327, on the ruins of the original St. Stephen's Chapel, which was raised by King Stephen in 1135 and dedicated by him to the first Christian martyr. Edward's Chapel was in the beautiful Gothic of the period, and Italian artists were brought to London to adorn its walls with historical and religious frescoes. After the Reformation, when the chapel was transferred from the Church to the Crown, and from the Crown to the House of Commons, these Papistical mural paintings, were, in a fit of Puritanical zeal, covered over with a plain, decorous wainscot, which in the gay times of Charles II. was in

turn hid behind rich tapestry hangings. When two side galleries were added by Sir Christopher Wren in 1706, shortly after the Union with Scotland, the tapestries disappeared, and the Chamber underwent a final transformation in 1800, when, as a result of the Union with Ireland, seats for one hundred additional members had to be found. The old wainscot was then taken down; and although the paintings of the Italian artists of the fourteenth century were found to be in a perfect state of preservation, they, too, were destroyed to make room for the required two extra lines of benches. The useful was evidently deemed of more account than the ornamental. There were now five rows of benches on either side, divided as in the present Chamber by a gangway. The Speaker's Chair was at the top of the Chamber where the altar originally stood. It was a carved oak armchair surmounted with the royal arms of England, and below it, as now, was the table with three clerks.

The old House of Lords, like the old House of Commons, was an oblong chamber with rows of benches running up from the floor to the walls. On the walls hung tapestries divided into compartments by oak frames, each containing a representation of a scene from the defeat of the Spanish Armada in 1588, and surmounted by portraits of the officers who commanded the English fleet in that perilous time. They were the gifts of the States of Holland to Queen Elizabeth. The Throne on which sat all the Sovereigns of England from 1550 to 1834—from Edward VI. to William IV.—was at the top of the Chamber. It was a carved gilt armchair on a dais. The seat was lined with crimson velvet; two gilt Corinthian pillars supported a canopy, also of

crimson velvet, and the whole was surmounted by a crown.

Between the two Houses lay the Painted Chamber, a survival of the original Palace erected by Edward the Confessor, who indeed used it as a sleeping apartment and died there. Its walls were painted with battle scenes by Henry III. in the middle of the thirteenth century, and hence its name. Here the court before which Charles I. was arraigned, sat for the concluding days of the trial. Here Oliver Cromwell and Henry Martin blacked each other's faces in fun, like giddy young schoolboys, as they signed the warrant which condemned the King to the headsman's axe. The Chamber was also used for conferences between representatives of both Houses with a view to arriving at a compromise in regard to Bills about which they differed. At these meetings the Lords were seated and wore their hats, while the Commons had to stand uncovered. There is a Painted Chamber for the same uses in the present Palace, but the procedure was practically abolished in 1851, when it was agreed both by Lords and Commons that statements respecting differences of opinion on any Bill, or other proceeding, might be communicated to either House by message from the other, and that no conference need take place unless specially requested.

The old pile was historically of great interest, but the buildings had no pretensions to architectural beauty. "A confused and ill-formed assemblage of towers, turrets and pinnacles, jumbled together without taste or judgment," they appeared just before they were destroyed by fire. In truth the old Houses of Parliament were a mass of patchwork, added to from time to

time without any order or regularity, as fire now ravaged one wing and then another. In the multiplicity of the features of the pile there was no unity. Internally the Houses were also uncommodious and confined ; but “ the fathers of the nation ” never relished the idea of pulling them down to give place to buildings of nobler proportions. In the very last Session of the House of Commons that was held in St. Stephen’s Chapel, Joseph Hume proposed, not for the first time, that new Houses of Parliament should be erected, but the motion was not accepted. Four or five months later, as the buildings were enveloped in a mass of flames, one of the spectators wittily cried out : “ There is Joe Hume’s motion being carried without a division.”

The great conflagration which caused the final destruction of the ancient Palace took place on October 16, 1834. The Whig Ministry under Earl Grey, which had carried the Reform Act of 1832, broke up in July on the question of appropriating a portion of the revenues of the Church in Ireland to secular purposes, and were succeeded by another Whig administration with Lord Melbourne as Prime Minister. Parliament was prorogued on August 15, by King William IV. in person. It was to meet again on October 23. When that day came, the old Palace of Westminster no longer existed.

The fire originated in an attempt to get rid of the tallies, or notched sticks, which, incredible as it may seem, had been used in the Exchequer as receipts for sums paid in by the Revenue departments as late as 1826. This rude mode of keeping accounts was introduced into England in 1066 by the Normans. Short rods of hazel and willow were obtained in large quantities by the Exchequer. On one edge of each rod were

notches indicating the sum for which it was an acknowledgment—a penny, a shilling, a pound, ten, one hundred, and a thousand pounds being indicated by the width of the notch—and on each side of the rod was inscribed the sum in Roman characters, with the name of the debtor and the date of the transaction. The rod was then split longitudinally; one piece was given to the debtor as a receipt and the other was preserved by the Exchequer as a record. An Act was passed in 1783 for the abolition of this system of issuing Exchequer tallies, but despite the existence of pens, ink and paper, and of accountants and actuaries, it continued in use till 1826. An immense quantity of tallies had accumulated for a long series of years and were stowed away in the lumber rooms of every Government office at Westminster and Whitehall. A large pile of them was burnt in Tothill fields in 1826, some were used from time to time as firewood by servants of the State apartments, and on the morning of October 16, 1834, two workmen proceeded to get rid of several cartloads that still remained, by burning them in the stove of the flues by which the House of Lords was heated.

All day long the men were engaged feeding the stove with tallies. At five o'clock they went home, their work still unfinished. At half-past six the House of Lords was in a blaze, the heat from the overcharged flues having ignited the panelling of the walls; and, despite the efforts of the firemen, the flames soon spread over the whole extensive pile of buildings. When morning dawned, the old Palace of Westminster, which had echoed with the eloquence of generations of great statesmen, was a hideous mass of smouldering ruins. A blackened, tottering wall still stood here and there, but

the only section of the Palace rescued from destruction was old Westminster Hall, a hall for ever associated with great men and historic deeds. The richly vaulted crypt beneath the St. Stephen's Chapel (or the House of Commons), which since 1800 had been used as a dining-room by the Speaker, also escaped, protected as it was by its solid roof.

The Rolls of Parliament containing the signatures of members were the most valuable of the vast quantity of documents destroyed, for most of the others, happily, were printed. The table of the House of Commons, which was provided by Sir Christopher Wren in 1706, and at which Pitt, Fox, Canning, and Peel spoke, was found in the ruins almost uninjured. It is now preserved in the members' tea-room. Another interesting relic of the old Palace reposes under a glass case in the library of the House of Commons. This is the key which, at the commencement of every Session before the fire of 1834, was used to unlock the vaults of the old Houses of Parliament for their annual inspection by the Yeomen of the Guard, which has taken place uninterruptedly since the discovery of Guy Fawkes with his kegs of powder under the House of Lords, on November 5, 1605. The key is about sixteen inches long, and is of very curious and ingenious construction. It was found in the ruins a few days after the fire. A relic of even greater historical interest was also discovered in the subsequent searches among the *débris* of the conflagration, namely, the original warrant for the execution of Charles I., with the signatures of the fifty-three persons who formed the court, the name of Bradshawe, the president, heading the list. It hung, framed and glazed, in the peers' library before the fire. It is now

preserved in the new library. These, however, were the only things rescued from the ruins. Everything else, including the Throne in the House of Lords, the Chair in the House of Commons, was destroyed.

On October 23rd the two Houses met for a brief and formal sitting, the Lords assembling within the charred walls of their library, which was temporarily fitted up with a Throne and Woolsack, and the Commons in an adjoining committee-room. It was decided to temporarily fit up the House of Lords for the use of the Commons, and the Painted Chamber for the use of the Lords ; and a sum of £30,000 was voted for the purpose. Commissioners were also appointed to superintend the construction of a new Palace of Westminster. Parliament then adjourned. On November 14th, King William dismissed the Melbourne Ministry, and Sir Robert Peel was commanded to form a new Administration. On the advice of the Prime Minister, the King dissolved Parliament on December 29th, and the new Parliament met on February 19, 1835, in the temporary buildings, which continued to be used till the completion of the present Palace of Westminster.

The design of the new Houses of Parliament was left open to general competition. The only condition laid down was that the style of the building should be either Gothic or Elizabethan. As many as ninety-seven sets of designs were received. The Commissioners, after much consultation, selected, in 1836, the plan of Mr. Charles Barry, R.A., who was born in 1795, the son of a stationer in Bridge Street, opposite the Houses of Parliament, and who grew to manhood under the shadow of the old Palace of Westminster. Barry was assisted in superintending the building and internal

decoration of the Palace—a work in which the genius of the greatest artists of the day was enlisted—by Augustus Welby Pugin, another eminent architect and authority on Gothic architecture. But in 1867, when both architects had long been dead, the eldest son of Pugin, who succeeded to his father's practice as an architect, declared in a correspondence in the *Times* that he was in possession of proof to establish his father's claim as the actual architect of the Palace of Westminster, and he afterwards published a book on the subject.

The buildings were not commenced until 1840. The selection of the stone for the structure was a matter that received the anxious consideration of the Commissioners. Finally the hard magnesian limestone from Anston, in Yorkshire, was selected for the exterior of the building, and Caen stone for the interior. Then, on April 27, 1840, the first stone—it may be seen in the south-east angle of the plinth of the Speaker's house—was laid without any public ceremony. Exactly seven years later—in April, 1847—the House of Lords was used for the first time; and at the commencement of the Session of 1852 the House of Commons and most of the public portions of the edifice were opened. Over two millions sterling were expended on the building and decoration of the Palace. Barry received the honour of knighthood on the completion of his great work in 1852. He died in 1860, and was buried in Westminster Abbey. A marble effigy of the distinguished architect stands at the foot of the staircase leading from the Central Hall to the committee-rooms' corridor.

The Palace of Westminster, covering as it does an area of nine acres, is the largest Gothic structure in the



world. Eleven courtyards give light and air to the six hundred rooms and apartments contained in the vast pile. In the very heart of the edifice is the great Central Hall, above which rises a beautiful tower terminating in a spire; and right and left of the Hall are the two Houses of Parliament—the Commons' Chamber nearer to Big Ben, the Lords' Chamber nearer to the Victoria Tower—while about them lie the retiring rooms of their respective members and the homes of their principal officers. There used to be eleven official residences in the Palace. In recent times the number has been reduced, and the tendency is to reduce it still further on every available occasion, in order to provide more accommodation for members. Each Minister has a private room in the corridors at the back of the Speaker's Chair, in which he may read and write letters and despatches, and receive business visitors when his presence is not required in the House. Members of the Administration have also an exclusive entrance into the Palace. Private rooms are at the disposal of the Unionist, Liberal, and Nationalist "Whips," but apart from these officers of parties, the only member of the House, not in the Government, who has a private room is the Leader of the Opposition. The demand for rooms where unofficial members may receive deputations from their constituents has grown in recent years, and has only been met to some extent.

Indeed the needs of the ever-expanding business of the House of Commons have already put to an acute strain the accommodation afforded by the extensive and sumptuous Palace of Westminster. The Sessions have necessarily grown considerably longer since the Palace was opened in 1852. Parliament usually meets for the

Session about the middle of January or early in February. The time at which it prorogues is uncertain. It fluctuates a good deal. Until ten or fifteen years ago it was the first week in August—just in time to allow its members to get away to the grouse moors. Lately it has been the end of August, or the middle of September. The mode of transacting business has also changed.

Up to Easter [remarks the "Father of the House," in one of Disraeli's political novels—speaking in 1842 of a time just anterior to the Reform Act of 1832] we rarely had a regular debate, never a party division; very few people came up indeed. But there was a good deal of speaking on all subjects before dinner. We had the privilege then of speaking on the presentation of petitions at any length, and we seldom spoke on any other occasion. After Easter there was always at least one great party fight. This was a mighty affair, talked of for weeks before it came off, and then rarely an adjourned debate. After this party fight the House for the rest of the Session was a mere club. . . . The House of Commons was very much like what the House of Lords is now.

Parliament has in every respect undergone a complete revolution since then. Nowadays the House of Commons is more of a workshop than a club to most of its members.

Crowds of new members, therefore, make their way to Westminster during the week or so that elapses between the close of the General Election and the opening of the new Parliament, in order to make themselves acquainted with the structural arrangements of the Palace, in which they will have to spend so much of their time. It is obviously impossible for the door-keepers or the policemen on duty to be able to dis-

criminate at first between those who say they are members and those who may be strangers. With the view of identifying the new members, the doorkeepers and policemen will carry in their pockets for weeks small books in which they have pasted the photographs of the new-comers, cut out of the illustrated papers. They will refer to this improvised album, in which the portraits are arranged alphabetically, whenever they see a stranger in the lobbies, and if they have any doubt as to his identity, he will promptly be asked his name. It is remarkable how quickly the attendants come to identify the new members.

It is remarkable also how soon the new members make themselves at home in the quarters of the Palace devoted exclusively to the Commons. There is, indeed, a story told of a member who was in the House of Commons for six years before he discovered there was such a place as the Terrace. But that was long ere the Terrace reached its present eminent position as a great social institution. As a rule a new member is not many hours in the Palace of Westminster before he has secured a locker, to which each member is entitled, for books and papers; smoked a pipe or cigar in the smoking-room, reclining in the armchair which was Mr. Gladstone's favourite seat when at Downing Street; had dinner in one or other of the dining-rooms; read the newspapers in the reading-room, or made himself acquainted with the contents of its extensive bookshelves; strolled on the Terrace; had tea in the tea-room at the table of the old House of Commons; and dispatched numbers of letters from the House to his relatives and friends giving his impressions of the great Palace of Westminster.

## CHAPTER V

## OPENING OF A NEW PARLIAMENT

BUT members will not have entered into the full possession of their heritage as the chosen representatives of the people until they have actually taken their seats in the House of Commons—and that, of course, they cannot do until the new Parliament has been duly opened. The day for the assembling of the new Parliament is fixed in the proclamation dissolving the old. Members know that date well. They all await it eagerly, whether they belong to the “ins” or to the “outs,” and by the new members—members who have not been in Parliament before—it is probably regarded as the most memorable of the red-letter days of their lives. The newspapers, too, are full of the date. It is mentioned over and over again in the editorial columns and in the news columns. But, nevertheless, it is the custom for the chiefs of the political parties in both Houses of the Legislature to issue—as at the opening of an ordinary Session—a lithographed letter to their respective followers, calling attention to the date on which Parliament is to assemble, and expressing the hope that they will find it convenient to attend in their places on that day.

Two o'clock is always the hour fixed for the stately and picturesque ceremony of the opening of Parlia-

ment. Some members, eager for the distinction of having their names prominently mentioned in the newspaper reports, put in an appearance at Westminster at the cold grey dawn of the day. On the morning of August 12, 1895—the day on which the fourteenth Parliament of Queen Victoria, and the twenty-sixth since the Union of Great Britain and Ireland in 1800, was opened—one representative arrived before six o'clock. No doubt he deemed himself well recompensed for the physical discomfort entailed by his early visit when he saw it recorded in the Press that to him was due the distinction of having been first on the scene. But the bulk of members prefer to breakfast first before they go down to Westminster, elbowing their way often through the crowd of sight-seers that throng the approaches to the Palace; and it is not until between eleven and twelve o'clock that there is any real competition for seats in the Chamber, which, curiously enough, accommodates only about half the 670 representatives returned to the House of Commons.

But long before noon an interesting preliminary to the ceremony of opening Parliament is carried out. This is the ancient custom of searching the vaults beneath the Palace of Westminster, on the first day of a new Session. The chief inspector of police at the House of Commons, and the inspector at the House of Lords, with four Queen's marshalsmen, a sergeant-major, and ten Yeomen of her Majesty's Bodyguard, or the Guards of the Tower of London, popularly known as "beefeaters"—clad in the quaint and picturesque uniforms which have survived from the days of the Tudors—assemble in the Princes Chamber at ten and, on the arrival of the Lord Chamberlain and Black Rod, form

a procession, and march through the whole of the extensive basement of both Houses of Parliament. This searching of the vaults originated after the attempt of Guy Fawkes to blow up the two Houses and their members in the days of James I. Such is the unwillingness of Parliament to part with any of its time-honoured ceremonies—such the length to which it carries its reverence for precedent and tradition—that this custom has survived for nearly three centuries, and will probably last as long as Parliament itself. The function, as a search, is now a work of supererogation. No one is admitted to the vaults without an order from the Board of Works, and the few visitors to these wonderful and widely extending basements are naturally closely watched by police. Needless, then, to say, the quest never results in the discovery of anything inimical to the well-being of legislators or the safety of the Palace of Westminster. The directions for the conducting of the search, drawn up close on three hundred years ago, are still followed almost to the very letter. It is ordered that no one but the officials engaged in the duty shall be present. The ceremony consequently has never been witnessed by even the ubiquitous newspaper reporter of to-day, who probably has seen every other spectacle, function, and ceremony in the kingdom. It is enjoined that lanterns are to be supplied to the searchers, and this injunction is still obeyed. Each of the Yeomen of the Guard carries a lantern in his hand, although the daylight streams bright and clear through these subterranean passages. But the lanterns are not lighted. The ancient directions mention “lanterns” only—not “lighted lanterns”—and therefore, when the present Houses, with their well-

lit basements, were erected, the authorities decided—having given, no doubt, the proposed innovation their most careful and anxious consideration—that the lanterns need no longer carry lights.

But let us see how matters are progressing in the House of Commons. By one o'clock every seat in the Chamber is appropriated. A member usually secures a seat by placing his hat upon it. According to the rules and regulations of the House, it must be his real working hat, and not a colourable substitute. This means that if a member were to bring two hats with him, and were to leave the House for a walk in the streets, he would forfeit all right to the seat on which he had placed the second hat. Members must, therefore, stay within "the precincts of the House"—which means within the Palace of Westminster—no matter how early they may have made their appearance there, on important occasions like the opening of a new Parliament. But the opening of the fourteenth Parliament of Queen Victoria in August, 1895, was marked by an important innovation. Members were enabled to leave in lieu of their hats, large white cards containing their names, on seats which they desired to appropriate. This change in a long-established practice owes its origin to the influenza epidemic during the Autumn Session of 1893, when a large number of members were stricken with the malady. As the chance of a member being successfully attacked by the mighty microbe was much increased by his going about uncovered in the corridors of the House, Mr. Speaker Peel directed that white cards might be used to secure seats, so that the hats could be worn by their owners instead of being left on the benches. Seats

are consequently now retained in the Chamber, at the opening of Parliament, by cards.

The new members meanwhile occupy the time before the opening of the proceedings by roaming over the precincts of the House, visiting the library, the smoking-rooms, the dining-rooms, the Terrace, the reading-rooms, and the other comfortable club quarters of the Palace of Westminster at the disposal of legislators when engaged in making the laws. At a quarter to two the members crowd into the Chamber again. What a number of strange faces are in the throng! It is easy to distinguish the new members by the eager look of curiosity and wonder, not unmixed with triumph, with which they gaze on every feature of the great historic Chamber, follow every movement of the officials, and the shyness with which they cheer, or indulge in forms of applause unfamiliar in the House, such as the clapping of hands, as their leaders appear, one by one, in the Chamber, and take their places on the two front benches. But this shyness soon disappears. There is a story told that an old member was thus addressed by a new member at the opening of a new Parliament: "If you please, sir, where do the members for boroughs sit?" The incident was related to Disraeli, who was much diverted. "Yes!" said he, "and in three months we shall have that member bawling and bellowing and making such a row, there will be no holding him!"

At two o'clock the Clerk, who acts as moderator of the Chamber until a Speaker is elected, quietly takes his seat at the table. The mace is brought in from the back of the Chair by the Speaker's train-bearer (not by the Serjeant-at-Arms, who carries it on every other



occasion), and is placed under the table, instead of on the table, where it rests when the House is sitting and Mr. Speaker is in the Chair. The Commons are now assembled, but the House has not yet been constituted. It will not be constitutionally formed until the Speaker is elected and the members have taken the oath of allegiance; and members can only subscribe the oath after the Speaker has been chosen, and his election has received the approbation of the Sovereign. Members are therefore in a rather anomalous position. One of the rules of the House enjoins that a member who votes without having taken the oath of allegiance shall thereby vacate his seat, and subject himself also to a penalty of £500. There is one exception. If there is a contest for the Chair, the rule does not apply. The election of a Speaker at the opening of a new Parliament is the only matter upon which an unsworn member can record his vote.

The first duty, therefore, of the Commons is to elect a Speaker. Few of the ceremonies of Parliament are more quaint and curious than this election. In the first place, the Commons, according to the theory of the Constitution, cannot proceed with the election without the consent of the Sovereign, and that consent is given them as they stand at the Bar of the House of Lords. But there was one election of Speaker for which the royal sanction was not obtained. The frequent attacks of mental derangement from which George III. suffered in the course of his long reign produced some awkward constitutional complications. Happily a way was found out of them all. During the King's illness in 1788, the question of the appointment of the Prince of Wales as Regent, to exercise the prerogatives of the Crown, was

made more perplexing by the death of Mr. Speaker Cornwall. His Majesty could neither signify his leave for the election of a new Speaker, nor approve the choice of the Commons for the Chair. But a simple expedient for getting rid of this Constitutional difficulty was adopted. Parliament dispensed on that occasion with these customary formalities.

The Commons now await the summons of "Black Rod" to proceed to the House of Lords. The benches on each side of the House of Commons and the long side galleries are crowded with members; and still a large number are unable, as yet, to obtain that "seat in the House" for which they fought so desperately during the General Election. Many have perforce to stand during the ceremonies. Nevertheless the best of good humour prevails. Congratulations pass from member to member, irrespective of party; even old opponents shake hands and express the mutual pleasure they feel that they have not been laid low in the General Election; and an occasional hearty burst of laughter denotes that a good story—perhaps some electioneering experience—is being told to an appreciative auditory.

Suddenly the animated buzz of conversation and the jokes and laughter are stilled in the Chamber by a stentorian cry of "Black Rod." It comes from the door-keeper in the lobby outside. Presently "Black Rod," who is the messenger of the House of Lords, appears in the Chamber. He is in court dress. He walks slowly up the floor, bearing in his right hand a short ebony rod tipped with gold, the emblem of his office; in his left he carries his cocked-hat, while a sword dangles by his side. Some of the new members appear to think that they must receive "Black Rod"

standing. Many of them rise to their feet; but they are told to sit down again by the old members. Members only stand when Mr. Speaker walks up or down the floor, or when a message from the Sovereign is being read to the House. On reaching the table "Black Rod" invites the House to repair to the House of Lords. The actual terms of his message are: "The Lords authorised to open Parliament by virtue of her Majesty's Royal Commission desire the immediate attendance of your honourable House in the House of Peers, to hear the Commission read." And as he delivers it he looks first at the Government benches and then at the benches of the Opposition. After this "Black Rod" retreats backwards down the floor to the Bar, where he waits until joined by the Clerk, and the two then walk across the intervening lobbies to the House of Lords, followed by a crowd of new members, shoving and jostling each other in their desire to secure good places in the "Gilded Chamber."

"Gilded Chamber," indeed! It is a most appropriate description of the House of Lords, with its gorgeous colouring in which gold predominates. Many a new member of the House of Commons must have been surprised to see, at the opening of a new Parliament, the red morocco benches on the Opposition side of the House occupied by a large number of ladies. But that is customary in the Lords at the close as well as at the opening of a Session. The Lords do not shut up in a cage the ladies who grace the House with their presence as the Commons do. All the galleries in the Chamber are open. The side galleries are exclusively reserved for peeresses and the daughters of peers. In the gallery for "strangers" ladies and gentlemen sit together, and,

as we see, the Lords are pleased to allow ladies on an important and interesting ceremonial occasion to sit beside them on the benches. These ladies are not peeresses or the daughters of peers, but ordinary "strangers," who secured the necessary orders for admission from some of the Lords. It is usual for the leading members of both the Government and the Opposition to absent themselves on the day Parliament is opened.

The first thing that arrests the eye of the spectator is the Throne, emblazoned with the royal arms, on a dais at the top of the Chamber. It is not occupied; but seated on a bench beneath the Throne, all in a row, are five Lords arrayed in ample red robes, slashed with ermine or white fur, and having on their heads quaint three-cornered beaver hats. These are the Lords Commissioners, to whom the Queen delegates her authority, when her Majesty is not present in person. The central figure, who is distinguished by wearing a three-cornered hat different in shape from the others, is the Lord Chancellor.

When the Commons have appeared at the Bar, headed by the Clerk, the Lord Chancellor, without rising from his seat or even lifting his hat, addresses the members of the two Houses of the Legislature in the following prescribed words:

My Lords and Gentlemen of the House of Commons,—Her Majesty, not thinking fit to be present here to-day in her royal person, hath been pleased, in order to the opening and holding of this Parliament, to cause Letters Patent to be issued under the Great Seal, constituting us and several other Lords therein named her Commissioners to do all things in her Majesty's name, on her part necessary to

be performed in this Parliament, and this will more fully appear by the Letters Patent themselves, which will now be read.

The Letters Patent are then read by one of the Clerks of the Table. They are engrossed on a long parchment document, from which an impression of the Great Seal in red wax hangs by a plaited silken cord, and set forth in the quaint elaborate diction in which all important State proclamations are couched, that the five Lords Commissioners, whose names are set forth according to their precedence in the peerage and are described as "Our right trusty and right entirely beloved cousins and councillors" have the royal authority for the opening of Parliament. The voice of the Lord Chancellor is again heard. He says :

My Lords and Gentlemen,—We have it in command from her Majesty to let you know that her Majesty will, as soon as the members of your Houses shall be sworn, declare the causes of her calling this Parliament ; and it being necessary that a Speaker of the House of Commons shall be first chosen, it is her Majesty's pleasure that you, gentlemen of the House of Commons, repair to the place where you are to sit and there proceed to the choice of some proper person to be your Speaker, and that you present such person whom you shall so choose here to-morrow at twelve o'clock for her Majesty's royal approbation.

Then without a word having been spoken on their side, the Clerk and the members of the House of Commons return to their Chamber.

The election of Speaker is at once proceeded with in the House of Commons. The Chief Clerk again presides. He occupies his own seat at the table, and not the

high-canopied Chair of the Speaker immediately behind. The mace is still invisible. The Speaker, who must be the representative of a constituency in the House of Commons, is usually re-elected unanimously on the assembling of a new Parliament. The motion for his re-election, or to be precise, that he “do take the Chair of this House as Speaker,” is made by a prominent unofficial member on the Government side of the House, and seconded by a prominent unofficial member on the Opposition side. Ministers take no part in this portion of the ceremony.

The Clerk must not speak a word on this occasion. All he can do is to rise from his seat and point with outstretched finger at the member who, according to previous arrangement, is to propose the candidate for the Chair; and later on he indicates in a similar fashion the member who is to second the motion. The motion is not put in the ordinary course. The Clerk does not, for instance, say: “The question is that William Court Gully do take the Chair of this House as Speaker.” The Commons express their unanimous approval of the motion by cheers. If, however, there is a contest for the Speakership the procedure is different. The candidate who is supported by the Government of the day is first proposed and seconded, after which the candidate of the Opposition is similarly put forward. The question that the first candidate proposed—or the Government nominee—do take the chair as Speaker is then put by the Chief Clerk in the usual way, and, with the proposers and seconders acting as tellers, a division is taken. According to usage, each candidate votes for his rival in the division. If the majority be in favour of the member first proposed, he is elected; but if otherwise,

a similar question is put in relation to the other candidate, which, being carried, makes him Speaker Elect. When the Speaker has been duly elected, whether unanimously or by a majority on a division, he rises in his place and addresses the House in a brief speech of thanks, which is greeted by a loud cheer. The applause indicates that he is "called," as the regulations say, to the Chair. His proposer and seconder then catch him each by the hands and conduct him up the narrow path between the Treasury bench and the table to the Chair.

In one important respect time has altered the details of this quaint part of the ceremony. In the long, long ago, it was the custom of the Speaker Designate to protest with emphatic expostulations and adjurations that of all the House he was most unsuited for the post. A curious illustration of the custom comes down to us from the days of Queen Elizabeth. The House having met for the choice of a Speaker, Sir William Knowles suggested Mr. Serjeant Yelverton for the office. "I know him," said Sir William, "to be a man wise and learned, secret and circumspect, religious and faithful, every way able to supply the place." The whole House cried, "Aye, aye, aye, let him be Speaker!" Then the modest, blushing Serjeant Yelverton rose. He said he could not account for their choice of him for the office, for he lacked merit, ability, and wealth. He was a poor man, with a large family too. Nor was he of a sufficiently portly presence. He that supplied that place ought to be a big man, comely and stately, well-spoken, his voice great, his carriage majestic, his nature haughty, and his purse plentiful and heavy. But, contrarily, he was of a small body, not well-spoken, his voice

low, his carriage lawyer-like and of the common fashion, his nature soft and bashful, and his purse thin, light, and never plentiful. The House was so enraptured with these humble protestations that it elected the modest Mr. Serjeant Yelverton *nem. con.*

It is not many years ago since another most amusing piece of comedy used to be enacted on this otherwise serious and solemn occasion. While the Speaker was being conducted to the Chair by his sponsors, he had, in accordance with a time-honoured custom, to wriggle his shoulders as if he were struggling against his captors. He meant to convey with sham modesty that he did not desire this great office to be conferred upon him ; that it was too high and exalted for one so mean and lowly. But, of course, all the time he was convinced that no one was more fit and capable for the office than he, and he would be mightily surprised and annoyed indeed if his proposer and seconder were to accept his protestations and cease their efforts to induce him to take the Chair.

That sham, however, is a thing of the past, and the only survival of it which now remains is seen in the action of the proposer and seconder in holding the Speaker Designate by the hands and conducting him to the Chair. He does not, however, immediately go into the Chair. Standing on the dais, he again gratefully thanks the House for the high honour conferred on him and then takes his seat as "Speaker Elect," as at this stage he is called. The mace, which all this time lay hidden under the table, is now produced by the Serjeant-at-Arms and placed in its usual position on the table, to indicate that the House is sitting. The leader of the House and the leader of the



Opposition offer him their congratulations, after which, the Speaker Elect, having put the question of adjournment—which is moved by the leader of the House—declares the “ayes” have it, and forthwith leaves the Chamber. The first day’s ceremony of the opening of the new Parliament is over.

But although the Commons have chosen one of their number “to take the chair of this House as Speaker,” the Constitution requires that before he can enter upon the duties of his office he shall submit himself in the House of Lords for the Sovereign’s ratification of his election. Until the royal approval has been signified, he continues to be styled “Mr. Speaker Elect.” Next day sees the completion of the ceremony of the election of Mr. Speaker. He enters the Chamber, by way of the lobby, heralded by the customary cry of the door-keeper, “Way for Mr. Speaker,” and attended by the Serjeant-at-Arms. But it is evident that his evolution as Mr. Speaker is not yet complete. He is still, as it were, in the chrysalis or transition state. He appears, therefore, only half made-up, wearing court dress—cutaway coat, knee-breeches, silk stockings, and shoes—but not his full flowing gown, and with a small “bob-wig” instead of the customary large and ample wig with wings which fall over his shoulders. It needs, as I have said, the royal approbation to transform him into a full-blown Speaker. It is noticed, too, that the Serjeant-at-Arms carries the mace, not upon his shoulder, but horizontally across his arms. This is another indication that the election of Speaker is not fully completed yet. Members stand up in their places with uncovered heads as the Speaker Elect walks slowly and solemnly up the floor, making on the way three obeisances to the Chair.

The Lords assemble on this second day of the new Parliament at the same hour as the Commons, and "Black Rod" is at once dispatched to invite the attendance of members of the Lower House in the House of Peers, to hear the royal will in regard to the election of the Speaker. On the first day, as we have seen, "Black Rod" was allowed free admittance to the House of Commons. He walked into the Chamber with all deference, it is true, but without let or hindrance. But on this, the second day, the door of the Chamber is locked by the Serjeant-at-Arms, and not until "Black Rod" humbly knocks at the door is he given admittance. Walking to the table with many lowly bows to the Chair, he utters the usual invitation to "this honourable House" to repair to the House of Lords, and then retires backwards to the Bar. There he is joined by the Speaker Elect and the Serjeant-at-Arms, who still carries the mace rather awkwardly across his arms, and, a procession being formed, they proceed to the House of Lords, followed by the Commons. On arriving at the Upper Chamber, the Speaker Elect stands at the centre of the Bar, with "Black Rod" to his right, the Serjeant-at-Arms (who has left the mace outside), to his left, and his proposer and seconder immediately behind him. He bows to the Lords Commissioners, who in all the glory of scarlet robes, are again seated on the form in front of the Throne, and they acknowledge the salutation by respectfully raising their cocked hats. Then the Speaker Elect addresses them as follows :

I have to acquaint your Lordships that, in obedience to her royal commands, her Majesty's faithful Commons have, in the exercise of their undoubted right and privilege, pro-

ceeded to the choice of a Speaker. Their choice has fallen upon myself, and I therefore present myself at your Lordships' Bar, humbly submitting myself for her Majesty's gracious approbation.

To this the Lord Chancellor, addressing the Speaker Elect by name, replies :

We are commanded to assure you that her Majesty is so fully sensible of your zeal for the public service, and your undoubted efficiency to execute all the arduous duties of the position which her faithful Commons have selected you to discharge, that she does most readily approve and confirm your election as Speaker.

It is interesting here to recall the fact that the royal approval of the choice of the Commons for the Speakership has been only once refused. Needless to say, it took place in the time of the Stuarts. At the opening of a new Parliament in 1678, when Charles II. was King, Sir Edward Seymour, a stout and sturdy opponent of unconstitutional pretensions on the part of the Sovereign, and a man personally obnoxious to Charles, was unanimously chosen Speaker by the House of Commons. Next day he attended, in the usual course, at the Bar of the House of Lords, accompanied by a large crowd of members, for the royal approbation. The King was present. "I have come for your Majesty's gracious approval," said Seymour, the Speaker Elect. "I cannot sanction your appointment, sir," exclaimed Charles, from the Throne. "You must," shouted the Commons, unmindful of the decorum of the House of Lords. "I will *not*," said the King, stamping his foot in angry emphasis. And he kept his word. The quarrel between the King and the Com-

mons was subsequently settled by a sort of compromise, but Sir Edward Seymour was set aside. The Sovereign's veto over the Commons' choice of a Speaker had never before been exercised, and has never been exercised since.

But to return to the new Speaker, standing at the Bar of the House of Lords. After his election has been ratified by the Sovereign, Mr. Speaker "submits himself in all humility to her Majesty's royal will and pleasure;" and if, in the discharge of his duties, and in maintaining the rights and privileges of the Commons' House of Parliament, he should fall inadvertently into error, he "entreats that the blame may be imputed to him alone, and not to her Majesty's faithful Commons." Manly assertions of rights and privileges follow fast on obsequious expressions of loyalty during the ten or fifteen minutes the Speaker, surrounded by "the faithful Commons," stands at the Bar of the House of Lords, and holds this interesting historical colloquy—which has been repeated at every election of Speaker for many centuries—with the Lord Chancellor, not as the President of the House of Lords, but as the representative of the Sovereign; for the next duty of the Speaker is to demand from the Sovereign, through the Royal Commissioners, recognition of all the ancient rights and privileges of members of Parliament, which are "readily granted" by the Sovereign, speaking through the Lord Chancellor. This ends the ceremonial. The Speaker and the other representatives of the House of Commons return as they came, but this time with the mace borne shoulder-high by the Serjeant-at-Arms.

On reaching the House of Commons, the Speaker reports what has taken place in the Upper Chamber, as

if he had gone alone to the House of Lords, and members were in absolute ignorance of what happened there.

I have to report [he says] that in the House of Peers her Majesty, by her Lords Commissioners, has been pleased to signify her gracious approval of the choice which you have made of me as your Speaker. I have also to report that I then in your name and on your behalf laid claim, by humble petition to her Majesty, to all your ancient rights and undoubted privileges, namely, freedom of speech in debate, freedom from arrest, and free access to her Majesty at all times whenever occasion may require, and that the most favourable construction may be put upon all your proceedings; all of which her Majesty, through her Commissioners, was pleased to grant and confirm in as full and ample a manner as they have ever been granted or confirmed by herself or by any of her Majesty's royal predecessors.

Members hear, without the slightest tremor of emotion, or the faintest indication of satisfaction, that their "ancient rights and undoubted privileges" have been fully confirmed. The solemn and portentous announcement does not evoke even a solitary cheer. Finally the Speaker concludes:

I have now again to make my grateful acknowledgments to the House for the honour done to me in placing me again in the chair, and to assure it of my complete devotion to its service.

And thus ends the ceremony of the election of Speaker of the House of Commons.

The Speaker then retires from the Chamber. A few

minutes elapse, and he reappears again in the full dress of his office. He has discarded his "bob" for a full-bottomed wig, and over his court, or full dress, he wears the customary long and flowing black silk gown. After this, members take the oath of allegiance.

## CHAPTER VI

## MR. SPEAKER

THE President of the House of Commons is styled "Mr. Speaker." The title appears at first sight somewhat paradoxical, since "Mr. Speaker" is the only member of the House who does not take part in its debates. But the original function of the holder of the office was to sum up, like the judge at a trial, the case of both sides at the end of a debate; and to "speak" the views of the House in the contentions with the Crown, which, as we know, were many in regard to supplies and taxes previous to the Revolution of 1688.

In the long contest between Parliament and the Stuart kings, which lasted almost through the whole of the seventeenth century, the efforts of the Commons to establish constitutional government were often thwarted by a Speaker who acted more as the abject servant of the arbitrary Sovereign than as the president of a great and free representative assembly. No wonder, then, that entries are to be found in the Journals of the House during the reigns of the Stuart kings, showing the indignity with which servile Speakers were treated. For instance, we read:

The House was informed by Mr. Speaker that Sir E. Herbert put not off his hat to him, but put out his tongue and popped his mouth with his finger in scorn.

And again:

The House was informed by Mr. Speaker that Mr. T. T——, in a loud and violent manner, and contrary to the usage of Parliament, standing near the Speaker's chair, cried "baw" in the Speaker's ear, to the great terror and concernment of the Speaker and the members of the House.

True it is, no doubt, that Mr. Speaker nowadays has not the anxious or irksome work he had in those far-off times when the Sovereign was wont on occasion to come into direct conflict with his faithful Commons ; but his duties to-day are more varied and extensive and are sufficiently arduous in their nature. He is still the spokesman of the Commons on all formal and ceremonious occasions. He speaks, as hitherto, the opinions of the House to the Sovereign when the occasion arises. But he is rarely called upon to fulfil that function in these days of calm and serene constitutional government. He is now more occupied with duties immediately associated with his office as president of the House of Commons. Within its walls his authority is supreme. He guides and controls the deliberations of the House. He keeps the debate strictly to the subject of discussion. He decides points of order. He interprets the rules of the House. He must be ever ready to assist the humblest of his colleagues in doubt or difficulty in regard to a motion or Bill. He must always show a keen regard for the honour and reputation of the House. On the whole, it must be said the part he has to play is not less delicate and difficult, although it is of quite a different order, than that of his predecessors in the turbulent days of the seventeenth century.



“Go and assemble yourselves together, and elect one, a discreet, wise, and learned man, to be your Speaker.” Such were the words addressed by the Sovereign, long ago, to a new House of Commons. They hold good to-day. The Speaker needs to be “a discreet, wise, and learned man.” Above all things Mr. Speaker must be scrupulously fair and absolutely impartial. The rules he has to administer are of the most elastic character. In some matters, and these—like the closure—not the least important, his decisions are practically controlled by no rules. In all cases he possesses the most unlimited discretion. But he is often suddenly and unexpectedly brought face to face with new situations; and consequently is often called upon to make new precedents. If, therefore, Mr. Speaker desires his rulings to be accepted without demur, he must combine firmness with strict impartiality, and above all with tact and urbanity; courageous self-assertion with unfailing good-temper; that happy blending of gentleness in the manner with rigorousness in the deed, which if it does not make the object of his adverse decision exclaim:

*He kicked me down stairs with such a good grace  
That I thought he was handing me up,*

will at least inspire members generally with a confidence that he wields his unfettered authority with, as Edmund Burke would say, “the cold neutrality of the impartial judge;” that he is entirely uninfluenced by passion or prejudice; that he decides according to the spirit, rather than the letter; and that whether ruling upon the conduct of an individual, or upon the privileges of a minority, his sense of justice and fairness, his

Parliamentary instinct and experience, have alone guided him to the conclusion to which he has arrived.

Mr. Gully, returning thanks to the House for the great honour it had conferred upon him in re-electing him Speaker on the assembling of the new Parliament in August, 1895, said, what perhaps is true, that while to be impartial is the least arduous part of the Speaker's functions, to appear impartial at all moments, and to all sections of the House, is beyond the powers of man. No doubt some passing feeling of soreness will occasionally, in the heat of party conflict, be aroused amongst those condemned or censured, or placed at a disadvantage in party tactics by decisions of the Chair. But if the Speaker has not impressed the House generally with confidence in the soundness and impartiality of his judgments, with trust in his good temper as well as in his strength of character, with the conviction that he considers himself the conscience and guardian of the House, and not the inflexible instrument of the party leaders in occupation of the Treasury bench, that feeling of soreness will not be, as it ought to be, brief and transient, and the Speaker will find on crucial occasions—on occasions which, as recent years have exemplified, not infrequently arise when the House is disturbed—that the assembly has slipped, for the time, from his control.

Fortunately for its occupant, the Chair is the object of the supreme respect and reverence of the House. It receives almost idolatrous worship. When Mr. Speaker himself walks solemnly up the floor, at the opening of every sitting he makes three low obeisances to the Chair. This reverential bowing to the inanimate, carved oak seat of Mr. Speaker—prominent object as

it is on its dais—inspires members susceptible to the traditional feelings of the House with the deepest awe of the Chair, and eventually leads to the canonisation of its occupant. Every Speaker, therefore, comes in time to be regarded as a heaven-born Speaker. This, of course, is entirely as it should be. There is nothing which contributes to the authority of the Chair so much as the conviction amongst members that in its occupant they have made a supremely happy choice. One result—the great and supreme result—is the implicit obedience rendered to the rulings of the Chair. Another is, that, however bitter may be the momentary resentment of members who think themselves aggrieved by these rulings of the Chair, the ultimate verdict in regard to them is that they are invariably just, and almost always that verdict is reached with commendable promptitude. The Speaker never has to wait long for his vindication at the hands even of those whom he feels called upon to condemn.

Mr. Speaker, like all weak mortals, has his political opinions, but, whatever they may be, he must never exhibit them in any way in the House, or indeed outside it. The impartiality of the office is now most jealously guarded. Viscount Peel, before his election as Speaker in 1883, was a follower of Mr. Gladstone. He is supposed to have been a Unionist since the introduction of the Home Rule Bill of 1886, but, as he said himself in 1884, replying to the toast of the House of Commons at a provincial banquet, he, as Speaker, knew no politics or party; he was no longer a partisan, and his sole desire was to act impartially between the two great parties which govern this country. The Speaker is also usually returned unopposed at the General Election.

In the election of 1895, however, Mr. William Court Gully's seat at Carlisle was contested, and the opponent of the Speaker received from Mr. A. J. Balfour a letter warmly endorsing his candidature. But in his address to the electors Mr. Gully made no reference to politics. He was still Mr. Speaker, and as such he could have nothing to say to party questions. Happily the contest ended in the re-election of Mr. Gully by a substantial majority. It is unlikely that the seat of a Speaker will be ever again contested. It is now universally recognised that a Speaker cannot descend into the rough strife of the electoral battle, however detached he may keep himself during the contest from active party controversy, without the independence and dignity of the Chair being impaired.

The unanimous choice of Mr. Gully as Speaker by the new Conservative House of Commons which assembled after the General Election of 1895, gave both to the precedent which has raised the Chair above the strife, the passions and the prejudices of party; and the principle of the continuity in office of the occupant of the Chair—or, in other words, the permanent character of the Speakership—an accession of strength and stability which will probably make them irresistible and decisive for all time. Mr. Gully, who had sat in the House as a Liberal for ten years was, on the retirement of Mr. Speaker Peel in May 1895, shortly before the dissolution, nominated for the Chair by the Liberal party then in office, and the Unionist party proposed Sir Matthew White Ridley. On a division Mr. Gully was elected by the narrow majority of eleven. Mr. Gully was publicly warned when he was elected to the office that the Unionist party disapproved his candidature and held themselves

free to reject him in the new Parliament, if they were returned to office. The Unionists came back triumphant from the General Election. A feeling prevailed for a time in the party, but not, indeed, to any wide extent, that the Speaker should be chosen from its ranks. It was pointed out that for sixty years there had not been a Conservative Speaker—Charles Manners Sutton having been the last—and that, apart from any consideration of the legitimate ambition of Conservative members of the House to occupy the Chair, in building up the body of precedents which guide, if they do not control, future Speakers of influence, Conservative wisdom ought to have its proper share, if these precedents are to be a true reflex of the general opinion.

But, fortunately, the influence of precedent and tradition over the conduct of the House of Commons proved too strong for those who desired a Speaker chosen from the Unionist party. Indeed, it now makes no difference to any party, whether the Speaker comes from their own ranks or from the ranks of their opponents. The Speaker is, necessarily, at first the choice of a party; but as he is conducted by his proposer and seconder from his place on the benches to the Chair, he must cut himself clear from all party ties and sympathies. Henceforth he has no side in politics to aid and support by his rulings in the Chair. His advice and information as to the laws and regulations of the House are at the disposal of every member of every party. Mr. Gully, happily, was unanimously re-elected. This historical incident in the history of the Speakership was characterised by the utmost magnanimity, graciousness and wisdom on the part of the Unionist party. Sir John Mowbray, the oldest and one of the most influential

and best respected members of the Conservative party, who proposed Sir Matthew White Ridley in opposition to Mr. Gully as a candidate for the Speakership on the occasion of the election to that office in May, undertook the duty of inviting the House to re-elect Sir Matthew Ridley's successful rival; and when the motion had been unanimously endorsed by the House, Mr. A. J. Balfour, as Leader of the House, heartily congratulated Mr. Gully, and paid a graceful and well-deserved compliment to the dignity and impartiality—the two chief qualities of a Speaker—which he had displayed even during his brief tenure of the Chair. Thus was marked homage paid to the custom which is universally recognised as constituting one of the main bulwarks of the dignity and the independence of the House; which affords the most emphatic testimony the House could give of its desire that its debates should be presided over with absolute impartiality, and that the Speaker should be removed from all possible temptations to regard himself as in any measure the representative of one side rather than of the other—the custom, namely, by which the Speaker is regarded not as the choice of a party, or even of a majority, but of the whole House, and by virtue of which the member who has been once elevated to the Chair is re-elected without respect to the political opinions he may have entertained before he donned the wig and gown of Mr. Speaker.

A Speaker is elected or re-elected at the opening of every new Parliament. When the Chair of the House of Commons becomes vacant by resignation or death, it has always been considered the legitimate prize of the party in office. In point of fact, every Speaker, when elected for the first time, has invariably been chosen

from the Ministerialists. This happened in the cases of Sir Henry Addington, Sir John Mitford, Mr. Abbot, Mr. Manners Sutton, Mr. Abercromby, Mr. Shaw-Lefevre, Mr. Denison, Mr. Brand, Mr. Peel and Mr. Gully, the Speakers of the present century; but of all these cases, in one only was an attempt made and made successfully, to remove a Speaker from office at the opening of a new Parliament, when there was a change in the balance of Parliamentary power, as most notably in 1841, 1874, 1886 and 1895. Indeed there are only two cases on record in modern Parliamentary annals at least in which a Speaker was displaced on the assembling of a new Parliament, merely because he did not belong to the party which came back from the country with a majority. One occurred in the last century, in 1780, when the Tories set aside Sir Fletcher Norton, and the other in this century in 1835, when the Whigs substituted Mr. Abercromby for Sir Charles Manners Sutton.

The circumstances of the deposition of Sir Fletcher Norton are not very creditable to George III. or to his pliant Minister, Lord North. The King enjoyed an annual Civil List amounting to £800,000, in addition to sources of income independent of Parliamentary control. But though he lived parsimoniously, he ran heavily into debt by his lavish expenditure to increase the influence and establish the ascendancy of the Crown, and Parliament had to supply, in addition to the allowance of £800,000 a year, the funds for this secret and corrupt campaign against its independence. In 1777 the King applied for an increase of his annual allowance to £900,000, and for the means to discharge a debt of £618,340. His demands were reluctantly acceded to

by the House of Commons; and the Speaker (Sir Fletcher Norton), on presenting the Bill voting the money at the Bar of the House of Lords for the royal assent—which, needless to say, was readily granted—thus outspokenly and without any courtly pretence, addressed the King: “The Commons have not only granted to your Majesty a large present supply; but also a very great additional revenue—great beyond example; great beyond your Majesty’s highest expense.” The language was never forgiven by the King. At the next new Parliament he was punished for it by the loss of the Speaker’s Chair.

That there are only two such episodes on record is a striking testimony to the permanent character of the Speakership. On the other hand, two remarkable instances of prolonged occupancy of the Chair are afforded by the last century. Mr. Spencer Compton, who was elected unanimously on the accession of George I., was continued during the entire reign of that Sovereign in the Chair of the House of Commons, which he only vacated to become Prime Minister under George II.; and Mr. Onslow, who was appointed in 1727, and continued in undisputed possession of the Chair for thirty-three years, amid all the changes of Government. There have been only four contests for the Speakership since the beginning of the present century. On January 29, 1833, the opening day of the first Parliament after the passing of the great Reform Act of 1832, Charles Manners Sutton, who had been Speaker for nearly sixteen years, was proposed for re-election by the Whigs, although he was known to be a pronounced Tory, his proposer being Lord Morpeth, and his seconder Sir Francis Burdett. On behalf of the Radicals, Joseph Hume proposed, and



Daniel O'Connell seconded, Edward John Littleton for the office. This gentleman did not desire to have his name submitted to the House, but a division was taken, with the result that Mr. Littleton's name was rejected by 241 votes to 31, and Charles Manners Sutton was then unanimously re-elected.

When the next new Parliament met, on February 19, 1835, the Tories were in office—the Whigs having been dismissed by William IV. in the preceding November; but as the result of the General Election which followed a majority of Whigs confronted Sir Robert Peel in the House of Commons, determined to fight him on every issue. Charles Manners Sutton was again nominated for re-election, his proposer and seconder this time being Tories. Mr. Speaker Sutton (Lord Canterbury as he afterwards became) was, as already said, a pronounced Tory. It was charged against him that he had been actively concerned on behalf of his party in the intrigues of the great crisis of 1832, and that he had even tried unsuccessfully to form a Government of his own, though supposed as Speaker to be exalted above all party questions. The Whigs, therefore, put forward James Abercromby, who was elected by 316 votes to 306, or by the narrow majority of ten. Mr. Abercromby was re-elected without opposition at the commencement of the new Whig Parliament of 1837; and when he retired in May 1839 the Whigs, who were still in office, nominated Charles Shaw-Lefevre, while the Tories ran Henry Goulbourn, the former being elected by a majority of eighteen—the voting being 317 to 299.

“I do not think it necessary that the person elected to the Chair, who had ably and conscientiously performed

his duty, should be displaced because his political opinions are not consonant with those of the majority of the House." These wise words, which happily have since been invariably followed, were uttered by Sir Robert Peel, as leader of the House of Commons, in support of the re-appointment of Mr. Shaw-Lefevre to the Chair, in August 1841, after a General Election, in which the Melbourne Administration which originally elected Mr. Shaw-Lefevre were defeated and the Tories returned in a majority. John Evelyn Denison was unanimously chosen to succeed Mr. Shaw-Lefevre in 1857; Henry Bouverie Brand, to succeed Mr. Denison in 1872; and Arthur Wellesley Peel to succeed Mr. Brand in 1884, the Liberals, by a curious coincidence, being in office on each occasion the Chair became vacant.

The Commons have always been jealous of all interference by the Crown with them in their choice of a Speaker. This was strikingly illustrated in 1695, on the resignation of the Speakership by Sir John Trevor, who (as we shall see presently) was almost immediately afterwards expelled for corruption. Mr. Wharton, the Comptroller of the Household, proposed Sir Thomas Littleton for the Speakership. In the course of his remarks he said: "I shall without fear of displeasing any person out of so many nominate"—"Upon this," says the Parliamentary History, "he was interrupted by a great noise in the House crying, 'No, no, no,' and several gentlemen stood up to speak to order. Exceptions were taken by several members 'that it was contrary to the undoubted right of the House of choosing their own Speaker to have any person who brought a message from the King to nominate one to them.'" Ultimately the Crown nominee was rejected, and a Mr.

Paul Foley chosen. Indeed, even the Government of the day have nothing whatever to do, at least ostensibly, with the election of the Speaker, which is understood to be the independent action of the House. It has been an unwritten law that no Minister of the Crown shall propose a candidate since John Hatsell, clerk-assistant from 1788 to 1797, and author of "Precedents of the House of Commons," warned William Pitt in 1789, when Pitt was Prime Minister, that it would not be fitting for him to nominate Henry Addington for the Chair. "I think that the choice of a Speaker should not be on the motion of the Minister," said Hatsell to Addington. "Indeed, an invidious use might be made of it to represent you as the friend of the Minister rather than the choice of the House."

Mr. Speaker was created "First Commoner of the Realm" by an Act of the reign of William and Mary, and, as such, he has precedence of all commoners. It is a singular circumstance that the very first of the First Commoners of the Realm, Sir John Trevor, is also notorious in Parliamentary history as being the only Speaker who has ever been expelled from the House of Commons. Trevor was originally an office boy in a lawyer's office, and by dint of sheer ability, and, it is said, also by methods unscrupulous and disreputable, reached to a high position at the Bar, and to the Chair of the House of Commons. He was Speaker when the Act of William and Mary, conferring the high dignity of First Commoner on him and his successors, was passed. A few years later it was discovered that he had received a bribe for helping to pass a Bill through Parliament; and on March 12, 1695, the wretched man had to pronounce from the

Chair the sentence of his own guilt and dishonour, by declaring that the House had unanimously resolved, "That Sir John Trevor, Speaker of this House, for receiving a gratuity of 1000 guineas from the City of London after the passing of the Orphans' Bill, is guilty of the high crime of misdemeanour." Next day Trevor was expelled by resolution of the House. This time, however, he thought it better not to take the Chair.

Trevor suffered from a squint, and thereby hangs an amusing tale. One of the duties of the Speaker is to designate the member who is to continue the debate. "Catching the Speaker's eye," it is called. Formerly the Speaker looked at the member, and bowed his head to signify he was to speak. But it frequently happened during the Speakership of Trevor, that owing to his obliquity of vision, two members in different parts of the House were each convinced he had "caught the Speaker's eye," and it therefore became necessary, for the sake of peace and harmony, for Trevor to call the member by name. This practice has since prevailed.

The Speaker is a member of the House, and his election to the Chair does not theoretically carry with it the forfeiture of his rights to take part in debates and divisions. But these rights are now never exercised, and probably never will be exercised again. It is not long, however, since the Speaker spoke and voted in Committee, when, of course, he was not in the Chair. During the Committee stage of a Bill introduced by Henry Grattan, in 1813, to enable Roman Catholics to be elected members of Parliament, an amendment to omit the words, "to sit and vote in either House of Parliament," was moved by Mr. Speaker Abbot, and being carried, was fatal to the measure. The only vote

the Speaker now gives is a casting vote when the numbers in a division on each side are equal. Fortunately for Mr. Speaker, a tie is a very rare occurrence. There are only about fifteen occasions recorded in Parliamentary history on which the Speaker was called upon to give a casting vote. But a tie once placed Mr. Speaker Abbot in a most unpleasant and painful position. It was in the year 1806. A charge of misconduct had been brought against Lord Melville, who was Treasurer to the Navy in the Ministry of Pitt. After an angry debate in the House of Commons, during which the Prime Minister made a powerful speech in defence of his accused colleague, a division on the question was taken, and resulted in a tie; 216 for the motion adjudging Lord Melville guilty of the charge, and 216 against! No wonder the Speaker was overcome by deep emotion. For ten minutes he sat in the Chair, pale and trembling, in the crowded and deeply excited and silent House, before he could gather sufficient physical strength to rise and deliver his decision. It was against Lord Melville! Pitt crushed his hat over his eyes to hide the tears of mortification for his own defeat, and sorrow for the sad fate of his friend and colleague, and rushed out of the House.

There was once an occupant of the Chair who was so unnerved by having to give his casting vote that he cried, "I am an 'Ay,'" then "No, no, I am a 'No,' I should say." In the memorable division on the third reading of the Church Rate Abolition Bill, in 1861, there arose this complication: Ayes, 274; Noes, 274. "A tie, a tie," called the rival sides, and it was the duty of the Speaker, Mr. Denison, to give the casting vote, which he did against the Bill—an incident

remembered by Mr. Gladstone, as one enacted in breathless silence; and accordingly the Bill was thrown out. A tie also occurred on the third reading of the Tests Abolition (Oxford) Bill, in 1864, Mr. Denison being again the occupant of the Chair; but this time he gave the casting vote in favour of the measure, which was in consequence passed.

Formerly no provision was made for supplying the place of the Speaker by a Deputy Speaker, and if he were unavoidably absent, no business could be done. The Clerk simply acquainted the House with the cause of the Speaker's absence, and put the question for adjournment. When the Speaker by illness was unable to attend for a considerable time, it was necessary to elect another Speaker, with the usual formalities of the permission of the Crown and the royal approval. On the recovery of the Speaker, the latter would resign, or "fall sick," and the former was re-elected with a repetition of the same ceremonies. Since 1853, however, in the absence of the Speaker, the Chair is taken by the Chairman of Committees, as Deputy Speaker, who wears neither gown, nor wig, nor court dress, but man's ordinary conventional attire.

"The First Commoner of the Realm" is handsomely recompensed for his services to the State. In former times his income was £5 a day, in addition to liberal fees on private Bills. He now receives an annual salary of £5000, fixed by Act of Parliament; an allowance of £100 for stationery; and has besides a residence and suite of offices in the Palace of Westminster; a secretary, a staff of clerks, and the control of some patronage in the way of clerkships to the House of Commons. He is also entitled to £1000

equipment money upon his election. He enjoys in addition some quaint and ancient perquisites. The State supplies him on his election with two hogsheads of claret. The Master of the Buckhounds sends him, as a gift, every year a buck and a doe, killed in the royal preserves at Windsor; and from the Clothworkers' Company of London he receives, as a Christmas present, a generous width of the best broadcloth. He has also a State coach, which is said to have been made in the time of Cromwell. At one period in Parliamentary history this carriage was regularly used on the occasion of high public ceremonials in which the First Commoner took part, but in recent times it has rarely been employed for the purpose. It was last seen in the streets of London in 1872, when the Speaker attended the thanksgiving service at St. Paul's after the recovery of the Prince of Wales from his dangerous illness. The coach was repainted in 1887 for the service held in celebration of her Majesty's jubilee, but at the last moment—as the vehicle weighs over five tons, and showed signs of decay—Mr. Speaker Peel decided to go to the Abbey on foot.

A considerable portion of the Speaker's salary is spent in official entertainments during the Parliamentary Session—such as dinners and levées—at which the guests are expected to appear either in uniform or court dress, ordinary evening-dress being strictly forbidden; and in “at homes,” on the beautiful Terrace, when evening-dress is allowed. The Speaker is attired at these functions in a black velvet court suit, knee breeches, with silk stockings, a steel handled sword, and with lace ruffles round his neck and wrists. At dinners and levées the table and huge sideboards are spread with

magnificent old plate belonging *ex officio* to the Speaker ; and from the walls look down portraits of many famous "First Commoners," of whom there have been 137, in a long and distinguished line from the first, Sir William Hungerford, in the year 1377.

Moreover, it is the privilege of a retiring Speaker to be "called to the House of Lords," as the phrase goes, and the peerage is accompanied by a pension of £4000 a year for life.



## CHAPTER VII

## TAKING THE OATH OF ALLEGIANCE

LET us linger awhile in the Upper Chamber to note what happens when, on the second day of the opening of a new Parliament, the Commons return to their own House, with the Speaker at their head. As the noise of the retreating feet breaks the solemn stillness of "the gilded Chamber," the five Lord Commissioners rise from their bench, and with slow, toilsome footsteps, as if the weight of their ample scarlet robes trailing on the ground behind them impedes their progress, disappear behind the Throne.

After a brief interval the Lord Chancellor reappears, attired in his customary robes—which, like the Speaker's, consist of a full-bottomed wig, and a long flowing black gown worn over levée dress—and takes his seat on the Woolsack. The junior bishop among the Lords Spiritual present reads the prayers, while the peers stand with bowed and reverent heads. Then the process of swearing-in begins. The Lord Chancellor is the first to come to the table; and with a copy of the New Testament in his right hand, and a large pasteboard card, containing the words of the oath, in his left, he repeats, after the Clerk, the declaration that he will be faithful and bear true allegiance to her Majesty; then kisses the book, and writes his name on

the Roll of Parliament. It is the first signature on the virgin sheet. The roll is of a different character in each House. In the Upper Chamber it is really a roll. It consists of one long sheet of paper about sixteen inches in width, which winds round a roller. The peers simply write their ordinary signatures, such as "Salisbury," or "Rosebery."

When the Lord Chancellor has taken his seat on the Woolsack, Garter King of Arms (the head of the Herald's College), appears in his gorgeous tabard, or herald's coat, emblazoned back and front with many quaint devices, and delivers to the Clerk the Roll of the Lords Temporal. The Clerk of the Crown, in conventional attire, also enters and presents a certificate of the return of the sixteen representative Scottish peers, who are elected for every new Parliament by such of the lords of Scotland as are not peers of the United Kingdom. After this the peers come to the table without any order or precedence being observed, and each, having first handed over his writ of summons, a small piece of limp parchment, to the Clerk, takes the oath, and subscribes the Roll.

"Once a peer a peer for life," it is said, truly enough, and yet every Lord of Parliament must receive, at the dissolution, a fresh summons from the Crown, and must take a fresh oath of allegiance before he can resume his legislative duties in the new Parliament. The writs are issued from the Crown Office at Westminster to "the Lords Spiritual and Temporal," individually. The mediæval quaintness of the writ of summons—it has been in use for over six centuries—is interesting. It is as follows :

Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to our \_\_\_\_\_, greeting. Whereas by the advice and consent of Our Council for certain arduous and urgent affairs concerning Us, the State, and defence of Our said United Kingdom and the Church, We have ordered a certain Parliament to be holden at Our city of Westminster on the \_\_\_\_\_ day of \_\_\_\_\_ next ensuing, and there to treat and have conference with the Prelates, Great Men, and Peers of our Realm. We strictly enjoining command you *upon the faith and allegiance by which you are bound to Us* that the weightiness of the said affairs and imminent perils considered (waiving all excuses) you be at the said day and place personally present with Us, and with the said Prelates, Great Men, and Peers, to treat and give your council upon the affairs aforesaid. And this as you regard Us and Our honour and the safety and defence of the said United Kingdom and Church and dispatch of the said affairs in no wise do you omit. Witness Ourself at Westminster, the \_\_\_\_\_ day of \_\_\_\_\_ in the \_\_\_\_\_ year of our Reign.

To \_\_\_\_\_ . A writ of summons to Parliament the \_\_\_\_\_ day of \_\_\_\_\_ next.

The writ sent to the twenty-six spiritual peers is the same, save that they are commanded to attend upon their "faith and love" instead of upon their "faith and allegiance," as in the case of the peers temporal. The Archbishops of Canterbury and York, and the Bishops of London, Durham and Winchester, become Lords of Parliament immediately on their consecration; but the other prelates of the Church Establishment must await, in the order of seniority of consecration, writs of summons to the House of Lords, according as vacancies arise in the estate of the Lords Spiritual. The number of spiritual peers is limited to twenty-six, and as there

are thirty-four prelates, eight bishops of the Establishment are therefore not Lords of Parliament, but all of them—save the Bishop of Sodor and Man—are entitled to seats, in the order of their consecration, as vacancies arise.

The twenty-eight representative peers allotted to Ireland by the Act of Union are elected for life by the Irish lords, who are not peers of the United Kingdom. On the death of a representative peer of Ireland, the Clerk of the Crown and Hanaper in Dublin sends a voting paper for the election of a new representative peer to every Irish lord who applies for it. After the lapse of fifty-two days, the voting papers returned are counted; and to the peer who has received the highest number of votes a writ of summons to the House of Lords is forthwith issued from the Crown Office at Westminster.

But no writs of summons are issued to the sixteen Scottish representative peers, who, unlike the Irish representative peers, are elected for every Parliament. After the dissolution, a royal Proclamation is posted at the Market Cross, Edinburgh, and in all the county towns of Scotland, ordering the election within ten days of the sixteen representative peers. A meeting of the peers of Scotland is held at Holyrood Palace on the day appointed, and with the Lord Clerk Register in the chair, the election is proceeded with. A list of the peers elected is sent to the Clerk of the Crown at Westminster, and is, as already described, presented by him in the House of Lords on the day the swearing-in of the peers commences. No writ of summons is therefore produced by a Scottish representative peer when he comes to the table to be sworn. The Clerk simply sees

that his name is included in the list furnished by the Clerk of the Crown. A peer who takes his seat and votes without having first subscribed the oath is liable to a penalty of £500. A few lords have so voted at times, through inadvertence, or ignorance of the law. Each thought that, having subscribed the oath and taken his seat in the House, on his succession to the peerage, he was not required to go through the same proceeding again when a new Parliament was summoned. But bills of indemnity had to be passed through both Houses of Parliament, and to be transformed into Acts by the royal assent, in the usual course, in order to protect those peers from an action at law, which any citizen might institute, for the recovery of the penalties incurred. It would seem, however, that an Act of Indemnity is, in such a case, no longer deemed necessary. Curious to note, the Lord Chief Justice (Lord Russell of Killowen) spoke and voted in the second Session of the present Parliament (1896) without having first taken the oath. But no Act of Indemnity was passed, and no one thought of trying in the Court of Exchequer to get £500 from the Lord Chief Justice, for his unintentional violation of the law of Parliament.

So much for the scene in the House of Lords when peers subscribe to the oath, and take their seats, on the assembling of a new Parliament. But occasionally in the House of Lords a strange procession, unannounced in any way—save that the fact that the Lord Chancellor as he sits on the Woolsack is wearing his three-cornered hat portends that something is about to happen—walks up the floor from the Bar to the Woolsack, just before public business commences.

First comes "Black Rod" wearing his customary court dress, and with his ebony rod tipped with gold in his right hand; then "Garter King of Arms," in his magnificent tabard, followed by the "Hereditary Earl Marshal of England" (the Duke of Norfolk, on whose family the office was conferred by Charles II. in 1672) in his duke's robes of scarlet, slashed with many bars of ermine. These officers of State are followed by three peers in their scarlet robes. This picturesque procession is the prelude to the introduction of a newly-created peer. One of the three is about to take his seat; the other two are his sponsors. On reaching the Woolsack the new peer drops on his knee and presents a huge rolled document to the Lord Chancellor. It is the patent of the creation of his peerage. The document is then passed on to one of the clerks at the table—he is known as the Reading Clerk—who, unfolding it, displaying its coloured heraldic devices, and the impression of the Great Seal, reads its terms to the House. Then the writ of summons is produced, and the oath is administered to the neophyte, at the table. Having subscribed the roll, the new peer is conducted by his sponsors with much circumambulation to one of the benches allotted to his rank in the peerage, and there the three, taking their seats—the new peer in the centre—rise three times, and, lifting their cocked hats, bow to the Lord Chancellor, who acknowledges each salute by lifting his own hat—which he has donned for the occasion—and an inclination of his head. The procession is again reformed. The new peer as he passes the Woolsack receives a handshake from the Lord Chancellor, and then disappears with his companions through one of the doors at the back of the Throne.

This ceremony takes place only on the introduction of a newly created peer, or of a peer elevated to a higher rank. Peers succeeding to a title, and Irish and Scottish representative peers, on taking their seats simply present their writs of summons at the table, take the oath and subscribe the roll, as at the opening of a new Parliament. In the case of a spiritual peer, he is introduced by two other Bishops, presents his writ of summons to the Clerk, takes the oath, subscribes the roll, and is conducted by his sponsors to his seat on the Episcopal benches, bowing three times to the Lord Chancellor during the walk round the table.

In the House of Commons the procedure of swearing-in members at the opening of a new Parliament is somewhat different. The Speaker is the first to take the oath. As soon as he returns to the Chair, in the full garb of Mr. Speaker (as already described), he stands on the dais, and repeats the words of the oath after the Clerk. It is a very simple declaration, and is the same in both Houses.

I, —, do swear that I will be faithful and bear true allegiance to her Majesty Queen Victoria, her heirs, and successors, according to law. So help me God.

The Speaker then signs the Test Roll, which, differing in form from the Roll of Parliament in the Upper House, is a large book strongly bound in leather, with brass clasps, opening at the bottom instead of at the sides, and with a sheet of blotting-paper between every two leaves. A new Test Roll is provided for each new Parliament.

After the Speaker, members are sworn-in in batches of five. To expedite matters, a temporary table is

brought into the Chamber, and, being placed in line with the Clerk's table, is provided with five large paste-board cards, on which the oath is printed in bold type, and with three copies of the New Testament. At this table one of the clerks-assistant stands, and administers the oath to the members, as they present themselves in batches of five, two or three holding between them a Testament, and each having one of the oath-cards in his left hand. Members of "her Majesty's most honourable Privy Council"—or Ministers, past and present—have precedence, and take the oath separately from the other members.

In the Lords, as we have seen, each peer, before taking the oath, and subscribing the roll, gives the Clerk his writ of summons. But in the Commons no proof of identity—no evidence that they are duly elected M.P.s—is required from the gentlemen that present themselves at the table to take the oath and subscribe the Test Roll. It is true that the Clerk of the Crown receives at his office at Westminster, from the returning officer of every constituency, the return of the writ with the name of the elected member, and that the names of the members, with the constituency each represents, are inscribed in a book, called the "Return Book," which is delivered by the Clerk of the Crown to the Clerk of the House of Commons on the day the new Parliament opens. The returns themselves are retained in the Crown Office till the dissolution of Parliament, when they are transferred to the Record Office.

But though ordinarily all the approaches to the Chamber are guarded by vigilant doorkeepers, who know every member of the House, at the opening of a



new Parliament—when there is usually a large influx of new members, who, of course, are strangers to the policemen and attendants on duty at the Palace of Westminster—it would not be difficult for an impostor of nerve and audacity, with some knowledge of the House and its ways, to enter the House, by personating some member, to take part in a division on the Speakership, should there be a contest for the Chair, and even to take the oath, and subscribe the roll. There is no case of such personation on record; but it is possible in the circumstances. The Return Book is a conspicuous object on the table during the process of swearing-in the members. It is there for reference by the Clerk, in the event of doubt arising as to the identity of any person who may present himself at the table. However, as it contains merely the name of each member and his constituency, and not his portrait and description, it is not an insuperable bar to personation.

As members take the oath, they proceed, in single file, to subscribe the Test Roll, over which the Chief Clerk stands sentinel. Each member writes his full name, and that of his constituency—the Leader of the House and the Leader of the Opposition subscribing after the Speaker—and he is then introduced by the Clerk to the Speaker, by whom he is greeted with a hearty handshake. So the process of swearing-in goes on for two or three days. It is slow and tedious work, and the House is not a lively place while it is in progress. Occasionally a special incident relieves the tedium of the process. Some members make an affirmation instead of taking the oath. It is no unusual thing either to see a member, wearing his hat, sworn on a book provided

by himself. These members belong to the Jewish persuasion, which requires the oath to be taken with covered head, on a copy of the Pentateuch, or first five books of the Old Testament. The oath is administered in about a minute to each batch. It is in signing the Test Roll that time is consumed. The member who has not his glasses adjusted, or who searches on the table for the right pen with which to inscribe his name on this roll of fame in bold and lasting caligraphy, may block a group anxious to get to the lunch-rooms, or the smoking-rooms; and may prove the same kind of nuisance to his fellows as the man who wants to change a five-pound note at the booking-office, though there is a long and impatient *queue* behind, and the train is just going out.

In the case of a member returned at a bye-election the process of introduction is entirely different. He has to be escorted to the table to take the oath by two other members of Parliament. This is one of the immemorial usages of the House of Commons. It originated in a far remote age, when it was really necessary, in order to prevent personation, that two members of the House should identify the claimant of a seat after a bye-election as the person named in the writ of the returning officer. The precaution has been needless for many a year. But such is the reluctance of the House of Commons to part with any one of its quaint, antique ceremonies, no matter how remote from the actual state of things it may have become in the whirligig of time, that this formality is still retained; and though a representative may come to the Bar of the House as the unanimous choice of a constituency of ten thousand electors and produce his credentials, he will

not be permitted to take his seat unless two members act as his sponsors.

Dr. Kenealy, the famous counsel for "The Claimant," presented himself at the table unattended, after his election for Stoke-upon-Trent in February 1874. Such was the feeling against him amongst members owing to his conduct in connection with the Tichborne case, that he could not get two to act as his sponsors. But he boldly walked from the Bar alone, carrying a big umbrella, which he, with audacious irreverence, hung by its crook on the sacrosanct mace when he reached the table. The Speaker informed him that if he could not comply with the ancient usage of the House he would not be permitted to take the oath, and subscribe the Test Roll. Dr. Kenealy produced the returning officer's certificate of his election as member for Stoke-upon-Trent. But that document was not sufficient. It was also necessary that he should be escorted by two members to the table, to which he had come alone, but without any difficulty or danger to himself or to any one else, and without any dislocation of the machinery of Parliament. He was, therefore, obliged to withdraw from the House.

The position was somewhat absurd. No one could question Dr. Kenealy's return. He laboured under no legal disability, and yet he was not allowed to take his seat because he could not comply with a mere ceremonial custom. It was indeed impossible that a duly elected representative could be excluded from the House for such a reason, and so a special resolution, moved by Mr. Disraeli, who was then leader of the House, was passed, to dispense with the usual introductory ceremony in the case of Dr. Kenealy. The member for Stoke-

upon-Trent once more came alone from the Bar to the table. The oath was administered to him; he signed the roll, and then disappeared in the mass of members among whom he could not count two friends.

Another incident, arising out of the absence of sponsors, occurred in 1893. As I have said, two or three days are set apart at the opening of a new Parliament, for the swearing-in of members. But at least for a fortnight afterwards stragglers turn up at Westminster. No ceremony of initiation is required for them. They simply present themselves at the table, before public business commences, and subscribe the oath. That rule, however, does not always hold good. Mr. Thomas Curran (who was returned for an Irish constituency at the General Election of 1892, while in South Australia, and was unable to take his seat in the House till the Session of 1893) walked from the Bar to the table without any sponsors, but he was not allowed to subscribe to the oath until he went back to the Bar again and returned between two colleagues. Mr. Curran conversed for a few moments with the Speaker, after the usual introduction by the Clerk. He desired to explain his action to the House at once. The Speaker readily consented. Rising, he said, "Mr. Curran desires to make an explanation to the House," and thereupon that gentleman, standing on one of the steps of the Speaker's Chair, stated to the interested House, that, having been returned at the General Election, and not at a bye-election, he had thought it was unnecessary that he should be introduced by two members. This incident is remarkable for two unique features. It is the only case on record of a member having addressed the House the moment he had

subscribed the Test Roll, and also the only occasion a private member has spoken from the steps of the Speaker's Chair.

The introduction of a new member after a bye-election is always an event of interest in the House of Commons. The members of the party to which he belongs assemble to give him a hearty welcome, especially if he be an important accession to their ranks, or if he has won the seat from the other side. The time when a new member may be introduced is after "questions," which are asked early in the sitting, and before the consideration of the first Bill of the "Orders of the day" or agenda paper, is taken up. He sits awaiting the time for his introduction on one of the benches below the Bar. There are two of these benches at each side of the Chamber, "under the clock"—the clock, by the way, being over the main entrance to the Chamber, facing the Chair—and though they are, of course, within the four walls of the Chamber, they are not, to speak by the card, within "the precincts of debate," for a member cannot address the House from them. Care must be taken that the new member does not take a seat inside the Bar. Should he do so, even inadvertently, he is liable to a penalty of £500, and what is more, he vacates his seat, "as if he were dead," to use the graphic phrase of the regulation. A Bill of Indemnity would, of course, be passed to relieve him of the fine, if his action were due to oversight or ignorance. But the disqualification would still remain. Of that no Bill of Indemnity could relieve him. He would have to be elected again.

New members are presumably coached as to what they are required to do during the ceremony of initiation. And yet some of them make ludicrous blunders.

It is a common occurrence for a new member, on arriving at the table, to shake effusively the hand of the Clerk, which is outstretched to receive the return to the writ. "How nice of the Clerk to greet me so kindly," the new member, no doubt, murmurs to himself, and he gives the hand of that official another hearty shake. Not without some difficulty is it made clear to him by the Clerk, that what is wanted is the blue document he carries in his hand. Occasionally, the return to the writ is missing. This paper, which is sent by the returning officer to the Clerk of the Crown after the election, is given to the new member on application at the Public Business Office, and must be presented to the Clerk at the table, as evidence that he has been duly elected, before the oath can be administered. As a rule, therefore, a new member takes care that he has got that very necessary document before he starts on the ceremony of initiation. But the story is told that a present very distinguished member of the House of Lords, who was for several years a member of the Lower Chamber, found, on reaching the table to subscribe the oath, that he had not got the essential blue paper. He searched his pockets for the missing document, and in the hurry and confusion—to the no little amusement of the watching and deeply interested House—threw a number of letters, a purse, some loose coppers and silver, a bunch of keys, and a pipe on the sacred table. But the search was fruitless. He had to retire without having taken the oath. Ultimately the document was found in his hat, which he had left on a bench near the Bar; and advancing to the table again, amid general cheers and laughter, he got through the initiation without further hitch.

And yet it would seem as if the production of the return to the writ were not absolutely necessary before a new member could take his seat. On March 11, 1848, a Mr. Hawes was elected for Kinsale; on the 15th he took the oath, and signed the roll; but it was not until the 18th that the return to the writ was received by the Clerk of the Crown. The Clerk had, through an oversight, neglected to demand the document of the new member. There was great wagging of official heads when the mistake was discovered. No one could suggest a way out of the difficulty. The Clerk and Mr. Hawes probably went about haunted with visions of the dungeons of the Tower. At last a Committee was appointed to inquire into the matter; and after due investigation, they reported that the return to the writ had always been required by the House, as "the best evidence of a member's title to be sworn;" yet "the absence of that proof cannot affect the validity of the election, nor the right of a person duly elected to be held a member of the House." Most sensible decision! But, nevertheless, the Committee recommended a strict adherence to the practice of requiring the production of the document. It certainly is a picturesque detail in the initiation of a new member.

## CHAPTER VIII

## MAKING A GOVERNMENT

PARLIAMENT is now legally constituted. The members of the hereditary House have presented their writs of summons at the table, have sworn allegiance, and subscribed the Roll in the presence of the Lord Chancellor. In the representative Chamber, the Speaker has been elected; the members have taken the oath, and signed the Test Roll. But though everything the written law of the Constitution prescribes for the proper election and due assembly of Parliament has been done, Parliament cannot—according to the spirit, if not the forms of the Constitution—proceed to the discharge of any of its functions, legislative, administrative, or executive, until a Ministry has been formed, and that singular body, the Cabinet, selected from it.

But why “singular body”? Are we not all familiar with the Cabinet, and is it not one of the essential institutions of our national polity—the main feature of our system of Party Government? Very true; but it is a “singular body,” nevertheless, because of its curious history, and because it is quite unknown in its corporate capacity to the written or statute law. It was not created by a document drawn up by Parliamentary draftsmen, under the inspiration of a statesman, which subsequently passing through both Houses of the Legislature, and



receiving the royal assent, became an Act of Parliament. Indeed, not even the germ of it is to be found in any known statute. It has developed out of the Privy Council, by precedent and custom, by understandings and compromises, according as needs and exigencies arose in the chequered march of the nation to its present proud position of full and untrammelled constitutional liberty.

The Privy Council was established to advise the Sovereign in grave affairs of State. As time went on it became too unwieldy for consultative purposes, or what is more probable, grew too bold and independent to suit the autocratic views of the Stuart kings, for Charles I. and his successors resorted for advice—or rather for servile instruments for their policy—to a small group of its most subservient members, who were invested with the highest executive and judicial offices of the State. They met in a small room or cabinet off the Privy Council Chamber, in the royal Palace, and thus came to be called “the Cabinet.” It survived the Revolution of 1688. The Sovereign nominated a council of distinguished members of both Houses of Parliament to aid him as officers of state in the government of the realm. The Cabinet did not, for a long period after the Revolution, necessarily consist of statesmen belonging to the same political party. A Tory Lord Chancellor, or a Tory Secretary of State, was often brought by the Sovereign into a Cabinet otherwise composed of Whigs. It was not, indeed, until about the middle of the last century that the Cabinet really became what it is now—a Committee or Council of the leaders of the political party in a majority in the House of Commons, selected for the offices they fill, not, as hitherto, by the

Sovereign, but by the principal leader of the party, as Prime Minister, and in general agreement as to political opinions, following a common policy in the administration of the affairs of the realm, and with a collective responsibility to Parliament, or rather to the House of Commons, for its actions. The Cabinet also grew slowly in power and authority during the eighteenth century. Indeed the total abeyance of the uncontrolled exercise of the prerogatives of the Crown by the Sovereign, personally, and the rise of the Cabinet to its present position of practically supreme power in the State, were not witnessed till the present reign.

If the existing Government finds itself in a minority after the General Election, it may bow at once to the will of the country, and resign, or it may wait until ejected from office by a vote of want of confidence, passed by the House of Commons. But when it tenders its resignation to the Sovereign, the duty of forming a new administration is entrusted by the Sovereign to the Leader of the Opposition. According to the theory of the Constitution, the Sovereign may send for any one he pleases; but in practice there is seldom any freedom of choice. The chief leader of a party is not nominated or formally elected by his followers. The only instance of a leader being elected or appointed at a meeting of a party is that of Lord Hartington, as chief of the Liberal party, on the retirement of Mr. Gladstone in 1875—a retirement which was intended to be permanent, but only proved temporary—though on that occasion there was no vote, as the other candidates for the position withdrew. The leader, as a rule, comes gradually to the front by sheer force of ability and strength of will, and it is this acknowledged chief of the

party—chosen thus by a process of natural selection, and not by any direct vote—for whom the Sovereign sends, and commands to form a new Ministry.

The Prime Minister—who, like the body of which he is the head, is unknown to the law—is, in turn, not unfettered in the choice of his colleagues in the Administration. He is obliged to select them from among the most able, or rather the most prominent, members of his party. Mr. Gladstone, who formed no fewer than four Administrations and Cabinets—an almost unprecedented record for one man in our constitutional history—used to draw up on slips of paper a list of the various offices, placing opposite each, as alternatives, the names of three or four more or less eligible statesmen, and then, by a process of sifting, he arrived at the definite list. But this process of sifting, which all Prime Ministers have to adopt, is not at all the simple matter it looks. It has to be followed out with exceeding care and circumspection. For every post in the Ministry there are at least three or four claimants—all of them leading members of the party, each of whom thinks the office on which he has his eye ought to be his by every title of personal fitness and of services rendered to the party. The old men—the men who were members of the Government when the party was last in office—naturally think they ought not to be overlooked in the formation of the new Administration and Cabinet, and the young men—able, pushing, and ambitious—who have come to the front in the interval, and are rather jealous of “the old gang,” also look for some of the spoils of office. To adjust these rival claims is not an easy task for the Prime Minister. The claimants for office insist on personal interviews

to advance their respective claims; and every post brings shoals of letters from members of Parliament and leading politicians in the country, strongly urging the appointment of this one or that one to a place in the Ministry, or his inclusion in the Cabinet.

It is interesting to note what Disraeli once said regarding the difficulties attending the formation of an Administration. He spoke of it in a speech in the House of Commons in March 1873, as "a work of great time, great labour, and of great responsibility." Then the construction of a Ministry, he added, fell entirely on the individual entrusted with its formation.

It is a duty which can be delegated to no one [he says]. All the correspondence and all the interviews must be conducted by himself, and without dwelling on the sense of responsibility involved, the perception of fitness requisite, and the severe impartiality necessary in deciding on contending claims, the mere physical effort is not slight.

We may well believe it.

It is an odd thing to see a Ministry making [wrote Macaulay to his sister Hannah, December 19, 1845]. I never witnessed the process before. Lord John Russell has been all day in his inner library. His ante-chamber has been filled with comers and goers, some talking in knots, some writing notes at tables. Every five minutes somebody is called into the inner room. As the people who have been closeted come out, the cry of the whole body of expectants is, "What are you?" I was summoned almost as soon as I arrived and found Lord Auckland and Lord Clarendon sitting with Lord John. After some talk about other matters, Lord John told me that he had been trying to ascertain my wishes, and that he found I

wanted leisure and quiet more than salary and business. Labouchere had told him this. He therefore offered me the Pay Office, one of the three places which, as I have told you, I should prefer. I at once accepted it.

But this Ministry was fated not to be formed. Both Lord Grey and Lord Palmerston—two leading members of the Whig Party—wanted the Foreign Office, and neither would give way to the other.

All is over [wrote Macaulay to his sister, the very next day]. Late at night, just as I was undressing, a knock was given at the door of my chambers. A messenger had come from Lord John with a short note. The quarrel between Lord Grey and Lord Palmerston had made it impossible to form a Ministry. I went to bed and slept sound.

It is probably as annoying to an expectant Minister to be offered what he considers to be, for himself, an inferior post in the Administration as to be entirely ignored. Sir Robert Peel, in making a Government, December 1834, offered Lord Ashley (subsequently the Earl of Shaftesbury) a seat on the Board of Admiralty, which Lord Ashley thought altogether beneath him, and therefore refused.

Had I not [he wrote in his diary] by God's grace and the study of religion subdued the passion of my youth, I should now have been heartbroken. Canning, *eight years ago*, offered me, as a neophyte, a seat at one of the Boards, the first step in a young statesman's life. If I am not now worthy of more, it is surely better to cease to be a candidate for public honours. Yet Peel's letter, so full of flummery, would lead any one to believe that I was a host of excellency. The thing is a contradiction.

However, he accepted the post subsequently. He was satisfied that it was of higher rank, or more important, than he at first supposed.

In 1839 Peel was again engaged in making a Government. The Queen, who at this time had hardly been two years on the throne, was only twenty years of age. Peel asked Lord Ashley to accept a post in the Royal Household, urging, as a reason for the offer, that he desired to have around "this young woman, on whose moral and religious character depends the welfare of millions of human beings," persons whose character and conversation would tend to her moral improvement. Lord Ashley confesses that he was thunderstruck when he received Peel's letter, as he expected a far higher position than "a mere court puppet;" but in his reply to Peel he said, somewhat sarcastically, that if Peel desired it, he would accept "the office of chief scullion to the court." However, this Administration was not formed. It was wrecked on what is known as "the Bed-chamber question." Some of the ladies of the Bed-chamber, who were most closely in attendance upon the Queen, were related to the outgoing Whig Ministers, by whom they had been appointed, and Peel insisted upon their resignation. The Queen refused to consent to such a course, as contrary to usage and repugnant to her feelings, and, Peel thereupon refusing to form an Administration, the Melbourne Ministry were recalled to office. Two years later Peel was again forming an Administration—this time the Queen raised no objection to the Mistress of the Robes being changed—and again he offered Lord Ashley a place in the Royal Household on similar grounds. Lord Ashley now believed that Peel simply wanted to muzzle him, the

leader of the growing movement for the State regulation of factories; and he therefore refused the office. "I told Peel," he wrote, "the case was altered, the court was no longer the same; the Queen was two years older, had a child, and a husband to take care of her." To Lord Ashley's mortification, he discovered subsequently that Peel had already offered the post of Vice-Chamberlain in the Household to Lord — ("the hero of Madame Grisi," as Lord Ashley describes him); but Lord —, not desiring the post, exclaimed, when the offer was made to him, "Thank God, my character is *too bad* for a Household place." From this Lord Ashley argued that "morality, therefore, was not the reason for putting me at court."

But the time came when office had lost its charm for the Earl of Shaftesbury. On January 27, 1855, the coalition Government of Lord Aberdeen and Lord John Russell were defeated on a vote of censure charging them with the mismanagement of the Crimean War, and they resigned. Lord Palmerston received the commands of the Queen to form an Administration. He, too, desired to have a Ministry of both Liberals and Conservatives. On February 7 he wrote to Shaftesbury, a Conservative, offering him the Chancellorship of the Duchy of Lancaster with a seat in the Cabinet. That was in the morning. In the afternoon Shaftesbury received a brief note from Palmerston requesting him to "consider the offer as suspended," in consequence of unforeseen difficulties, which it subsequently transpired were the claims of the Liberals for a greater share of place and power in the new Government. This explanation came to Shaftesbury from Lady Palmerston.

Palmerston is distracted with all the worry he has to go through [she wrote. And in a P.S. she added:] It is no pleasure to form a Government when there are so many unreasonable people to please, and so many interested people pressing for their own gratification and vanity without any regard to the public good or the interests of the Government and country.

The Earl of Shaftesbury thus poured out his soul on the subject to his son :

The selfishness, the meanness, the love of place and salary, the oblivion of the country, of man's welfare, and God's honour have never been more striking and terrible than in this crisis. These, added to the singular conceit of all the candidates for office (and all have aspired to the highest) have thrown stumbling-blocks in Palmerston's path at every step. The greediness and vanity of our place-hunters have combined to make each one of them a union of the vulture and the peacock.

Shaftesbury himself had then no desire for place. It is impossible to doubt the genuineness of the congratulations on his "escape from office" in which he indulged. In March some of the members of the Administration resigned, and Palmerston again offered Shaftesbury the Chancellorship of the Duchy of Lancaster. But Shaftesbury was still reluctant. "I could not satisfy myself," he said, "that to accept office was a divine call. I *was* satisfied that God had called me to labour among the poor." One morning he received this note from Lady Palmerston : "Palmerston is very anxious now that you should put on your undress uniform and be at the Palace a quarter before three, to be sworn in. Pray do this, and I am *sure* you will not repent it." Shaftesbury



gave way to these pleading entreaties. The result was certainly curious.

I went and dressed [he wrote in his diary], and then, while I was waiting for the carriage, I went down on my knees and prayed for counsel, wisdom, and understanding. Then there was some one at the door—as I thought, to say that the carriage was ready. But instead of that a note, hurriedly written in pencil, was put into my hand. It was from Palmerston—"Don't go to the Palace."

Many would have groaned in the anguish of their souls over this stunning disappointment. Shaftesbury declares he danced with joy. "It was to my mind," he said, "as distinctly an act of special providence as when the hand of Abraham was stayed and Isaac escaped."

As will be seen from these extracts from the letters and diaries of Lord Macaulay and the Earl of Shaftesbury, the "fishing for seals," as it is called in political circles, goes on briskly during the fortnight it usually takes to form an Administration. The "seals of office," about which people read so much in their favourite newspapers on the advent of a new Government, are small metal discs, engraved with some image or device, enclosed in a velvet case, which are surrendered into the hands of the Queen by the outgoing Ministry, and subsequently distributed by her Majesty to the members of the incoming Administration. The seals are never used, and probably a Minister never sees them from the day he enters upon office to the day he goes out of it.

By a curious coincidence the last Bill passed by the late Liberal Government, after their defeat in the House of Commons in June 1895, was the Seal Fisheries Bill,

which applies to the fisheries of the Behring Seas. A few days afterwards, Lord Rosebery, while riding in Hyde Park, met a Conservative member who had adopted a rather critical attitude towards the measure. "Well," said the ex-Premier, "we got through with the Seal Fisheries Bill after all." "Yes, thanks to my forbearance," responded the Conservative member. "I am glad of it," continued Lord Rosebery, "for there will be great fishing for seals these days." Another good story about seals is ascribed to Lord Plunket, who in the "Twenties was Lord Chancellor of Ireland. By one of those rather shabby intrigues which occasionally accompanies Cabinet-making, Lord Plunket was hustled out of the Irish Chancellorship to make room for Lord Campbell. The day that Lord Campbell was to cross over to Ireland in order to take up his ill-won post was very stormy, and Plunket and his secretary were looking out upon the tossing sea from his lordship's marine residence near Dublin. "I suppose Lord Campbell must be very sea-sick," said the secretary. "No doubt," replied Plunket, "but alas, he won't throw up the Great Seal." An amusing story is also told in Massey's "History of the Reign of George III." *à propos* of the seals of office. On the downfall of the famous Coalition Ministry in 1783, North and Fox, the leaders of the united Tories and Whigs, received his Majesty's peremptory command to resign their seals of office, and so obnoxious had they made themselves to the King by resisting his will, that they were denied the customary audience for the purpose. They were ordered to send their seals by their Under Secretaries of State.

Lord North received his dismissal with characteristic humour [writes the historian]. He was in bed when, at

twelve o'clock at night, the dispatch arrived ; and being informed that Sir Evan Keapen, the Under Secretary, desired to see him, he replied, that in that case Sir Evan must see Lady North too ; and he positively refused to rise. Sir Evan was accordingly admitted to the bedroom ; and on informing Lord North that he came by his Majesty's command to demand the seals of his office, Lord North gave him the key of the closet where they were kept and turned round to sleep.

The Administration being at last formed, a day is fixed by the Queen for the visit of the outgoing and incoming Ministers to Windsor. On the morning of the day, the Clerk to the Privy Council collects all the seals from the different offices and takes them down to Windsor Castle. The outgoing Ministers go down later in the day. Each Minister then takes his seal, and in the Council Chamber, where the Sovereign sits enthroned, surrenders it into the hands of the Queen, who places it on a table by her side. An hour later the new Ministers arrive at the Castle, when each in turn kneels before her Majesty, and receives from her hands the seals previously surrendered by the outgoing Ministers. Thus by the delivering of the insignia of office does the Sovereign ratify the selections of the Prime Minister for the various posts in the Administration.

Lord Campbell tells us in his diary that in 1859, as the members of Lord Palmerston's Administration, in which he held the office of Lord Chancellor, were going down to Windsor by special train, they passed another express returning to London with the outgoing Premier, Lord Derby, and his colleagues. "What an opening for aspiring young statesmen if a wicked wag of a railway director had ordered the two trains to be put on the

same line," was the genial comment of the Lord Chancellor. Sir Stafford Northcote (Lord Iddesleigh), who was a Minister in the next Derby Administration, which was formed in July 1866, also gives us some interesting glimpses of the proceedings at Windsor Castle on the occasion of a change of Government.

Queen's carriages met us at the terminus and took us to the Castle [he writes]. As we went upstairs we met the late Ministers coming down, and shook hands with them. While we were waiting in the long room there was a sharp thunderstorm, and there was another while we were at luncheon, after taking office. The slopes of the terrace looked as if there had been a fall of snow. Some thought this a bad omen for us. Disraeli had a bad omen of his own as we came down; for, thinking there was a seat at the end of the saloon carriage, he sat down there, and found himself unexpectedly on the floor.

The Administration lasted scarcely two years; but despite the ill-omened accident to Disraeli, it was for that statesman a fortunate Administration. In it he first filled the great office of Prime Minister, to which he succeeded on the resignation of Lord Derby, on account of failing health, early in 1868.

But to return to Windsor Castle. Sir Stafford Northcote goes on to say:

Lord Derby was first sent for by the Queen, and had a short audience. We were then all taken along the corridor to the door of a small room or, rather, closet. Lord Derby, Lord Chelmsford, and Walpole were called in; then the five new members of the Privy Council—Duke of Buckingham, Carnarvon, Cranborne, Hardy, and I—were called in together, and knelt before the Queen while we took the

oath of allegiance ; then we kissed hands, rose, and took the Privy Councillor's oath standing. The Queen then named the Duke of Buckingham Lord President of the Council, and we all retired. The Prince of Wales and Duke of Edinburgh were in the room. We were then called in one by one, and kissed hands on appointment to office, Lord Derby going first, then the Lord Chancellor, the Lord President, the Lord Privy Seal, the Secretaries of State (all together), the Chancellor of the Exchequer, &c. The seals were delivered to all these, except the Lord President. Lord Derby then had a long audience with the Queen, while we went to luncheon. Returned by special train at four o'clock.

Finally, Sir Stafford makes this comment on the ceremony :

The swearing-in was much less impressive than it is said to have been formerly. After being sworn, we shook hands with each Privy Councillor present. This, in a large room with a full Council, was no doubt a more solemn undertaking than in a Council of only three members huddled up in a tiny room, with the rest outside the door. The Queen seemed very cheerful, but said nothing, except as to one or two details of arrangement.

Everything has now been completed according to long established custom. The Administration is duly appointed ; the hierarchy of the Cabinet is selected. The Cabinet consists of at least eleven and generally not more than fourteen of the principal Ministers, divided between the two Houses of Parliament. An important constitutional innovation has been introduced by Lord Salisbury, the present Prime Minister. A large Cabinet of nineteen Ministers has been created ; but a committee of four, including the Prime Minister, attends

to the most important and urgent matters of Government and party policy. As the Privy Council became too large for the speedy and secret transaction of delicate and critical State affairs, the Cabinet was formed; so now the creation of a big unwieldy Cabinet has led to the appointment of an "inner circle," to which only a few of the leading Ministers are admitted. The arrangement has several advantages. Prompt action can be taken in matters of foreign and home policy, in which the race is always to the swift, without having to wait for the sanction of a big body that takes longer to assemble. Another advantage of this system is that a Prime Minister can reward a large number of "eminent nobodies" in his party with the coveted prize of Cabinet office without being embarrassed with their advice.

The meetings of the Cabinet are summoned by the Prime Minister through his private secretary. A summons to the Cabinet runs thus:

A meeting of her Majesty's servants will be held at No. 10, Downing Street, at        o'clock, on        ,  
at which        is desired to attend.

The old Cabinet room in 10 Downing Street (the official residence of the First Lord of the Treasury) is oblong in shape, and measures about fifty feet by twenty feet. It is furnished as a library, and is fitted with double doors through which no sound can penetrate, and which are therefore quite proof against any eavesdropper. The furniture of the apartment is more solid than showy. The table at which the Ministers sit is a substantial one, some ten feet wide, and when a Cabinet meets, is covered with a green cloth, while a blotting-

pad, paper, and a plentiful supply of pens are placed in front of each chair. On a side table are a plateful of biscuits, a bottle of water and some glasses. This is the only refreshment allowed at a Cabinet meeting. The windows of the room look out upon a small garden surrounded by a brick wall ; and two of them open upon a rough stone terrace, with an iron railing, where Ministers were wont to air themselves during their more or less momentous deliberations.

This has been the usual meeting-place of the Cabinet since the beginning of the century. All or nearly all of Mr. Gladstone's many Cabinet Councils have been held there. But it is hardly large enough to accommodate a Cabinet of seventeen Ministers, and in the case of the present Administration, the Prime Minister not being First Lord of the Treasury, but Secretary of State for Foreign Affairs, the meetings are held in the Foreign Secretary's apartment in the Foreign Office.

Differences of opinion, are, of course, inevitable at a Cabinet meeting. But when once a question has been decided by the vote of the majority, every member of the Cabinet becomes equally responsible for the decision. If a Minister finds he cannot conscientiously support the policy his colleagues have adopted, he must resign office. In that event the Prime Minister appoints somebody else to the vacant post, and things go on, as a rule, as if nothing had happened. But if the Prime Minister should resign from any cause, the Cabinet is really dissolved, and a new Cabinet is formed by the succeeding Premier, as happened when Lord Melbourne succeeded Earl Grey in 1834, Mr. Disraeli Lord Derby in 1868, and Lord Rosebery Mr. Gladstone in 1893. No regular minutes of the meetings of the Cabinet are

kept. Memoranda in regard to Bills to be introduced, and announcements to be made to Parliament, are, however, drawn up for the guidance of the Ministers to whose departments the matters in question relate.

The deliberations of the Cabinet are strictly private and confidential. Its members are, as Privy Councillors, sworn to secrecy. They are not at liberty to divulge anything that passes at its meetings without the express permission of the Sovereign. Nevertheless, proceedings at Cabinet meetings occasionally filter through, in one way or another, to the eager public. The memoirs of Charles Greville, Clerk to the Privy Council, show that Ministers of Lord Melbourne's Administration kept that entertaining political and social gossipier acquainted with the proceedings of the Cabinet. The "Memoirs of Lord Palmerston" are also full of confidential correspondence on the discussions and resolutions of that august and secret conclave. Lord Ellenborough, who sat in the Wellington-Peel Cabinet of 1828-30, which ultimately emancipated the Roman Catholics, kept a diary in which he not only minutely recorded the proceedings of the Cabinet but delivered himself of some very caustic criticisms of his colleagues. Peel was "captious," Huskisson "untrustworthy," Palmerston "always pecking." He also relates that Lord Lyndhurst, who was Lord Chancellor in that Government, thought that no Cabinets should be held after dinner. "We all drink too much wine," said he, "and are not civil to each other." Three months subsequently Lord Ellenborough made a record which would go to prove the truth of Lord Lyndhurst's opinion. "A great deal of useless talk, a large portion of which originated in Lord Bathurst being rather drunk."



Walter Bagehot, in his "English Constitution," relates the well-known story of Lord Melbourne at a Cabinet Council at which it was agreed to propose a fixed duty on corn. Lord Melbourne put his back to the door and said, "Now is it to lower the price of corn, or isn't it? It is not much matter what we say, but mind, *we must all say the same!*" "This," writes Bagehot "is the most graphic story of a Cabinet I have heard, but I cannot vouch for its truth. Lord Melbourne is a character about which men make stories." Another story goes that when any difficult or hazardous question was propounded to Lord Melbourne by any of his colleagues in the Cabinet, he used to ask, "Can't you let it alone?" and followed up the question with this caution: "Whenever you are in doubt what should be done, do nothing." The late Sir William Gregory gives in his autobiography, on the authority of "a member of Lord Palmerston's Cabinet," another interesting glimpse into the Council chamber of the Cabinet. According to this authority Mr. Gladstone came to the meetings of the Cabinet of the Palmerston Administrations at the end of each recess, charged to the muzzle with all sorts of schemes of reform, which were absolutely necessary, in his opinion, to be immediately undertaken. Lord Palmerston used to look fixedly at the paper before him, saying nothing until the outpourings of Mr. Gladstone had come to an end. He then rapped the table and said cheerfully, "Now, my lords and gentlemen, let us go to business."

## CHAPTER IX

## HER MAJESTY'S MINISTERS

THE salaries and emoluments of "her Majesty's Ministers" cost the taxpayers of the kingdom just £175,681 per year, a sum by no means extravagant when we consider the genius and ability of our statesmen, their devotion to duty, and the vastness and wealth of the Empire. As late as seventy years ago three times that amount hardly covered the egregious salaries of members of the Government, and what was more reprehensible, the fat sinecures bestowed on needy unofficial members of the House, and even on persons outside, for party services. Over a century ago the state of things that prevailed in public life was even more corrupt and venal. Place-hunting was then almost universal amongst public men.

To grasp a great estate out of the public service was too often their first thought [writes Sir Thomas May in his "Constitutional History of England"]; families were founded, titles endowed, and broken fortunes repaired at the public expense. It was asked what an office was worth, not what services were to be rendered.

In fact, the aristocratic oligarchy that then filled all the great places of the State regarded the Government offices, and the power and emoluments which they carried, as their hereditary perquisites.

Edmund Burke, whose efforts to bring about economic reform in the administration of the affairs of the kingdom, led to the abolition of many of these sinecures, fees, and allowances, insisted, nevertheless, that adequate compensation should be paid to Ministers for their services.

I will even go so far as to affirm [he said] that if men were willing to serve in such situations without salary, they ought not to be permitted to do it. Ordinary service must be secured by the motives to ordinary integrity. I do not hesitate to say that that State which lays its foundation in rare and heroic virtues will be sure to have its superstructure in the basest profligacy and corruption. An honourable and fair profit is the best security against avarice and rapacity, as in all things else a lawful and regulated enjoyment is the best security against debauchery and excess.

The present salaries were fixed in 1831, on the recommendation of a Committee of the House of Commons, which was appointed by the Grey Ministry—or the Reform Ministry—on their accession to office in 1830. In 1850, the salaries again underwent examination by another committee, which reported that the 1831 settlement was the “lowest amount which is consistent with the requirements of the public service.”

The Prime Minister, or the head of the Government, receives as such no salary, for his position is unknown to and unrecognised by statute law. Some State office with nominal duties, such as the office of First Lord of the Treasury, is accordingly held by the Premier. Lord Salisbury, however, departed from the almost invariable practice by associating the Secretaryship for Foreign Affairs, perhaps the most arduous and responsible office

in the Government, with the Premiership in his own person. The First Lord of the Treasury, or, as he is more fully described, "First Commissioner for executing the office of the Lord High Treasurer of her Majesty's Exchequer," has associated with him the Chancellor of the Exchequer and three junior Lords of the Treasury in the control of her Majesty's Exchequer. The post is now a sinecure in the departmental sense. There are no Treasury duties attached to it, and yet it carries with it a salary of £5000 per annum. The First Lord of the Treasury has also a large patronage. He is, for instance, the Minister upon whose advice pensions are granted from the Civil List to persons who have—according to a resolution of the House of Commons, adopted February 18, 1834, for the regulation of such pensions—"just claims on the royal beneficence, or who by their personal services to the Crown, by the performance of duties to the public, or by their useful discoveries in science and attainments in literature and the arts, have merited the gracious consideration of their Sovereign or the gratitude of their country." For this purpose a sum of £1200 is granted to her Majesty each year, in addition to the pensions already in force. All the pensions now in operation, under the Civil List, amount to about £23,000. The fresh grants are annually laid before Parliament, and are subject to criticism.

The real head of the Treasury, or the department which controls the collection and expenditure of the national revenue, is the Chancellor of the Exchequer. The salary attached to the office is £5000 a year. The office of Chancellor of the Exchequer is always held by a member of the House of Commons, in which House

all proceedings relating to the public income and public expenditure must originate. It is his business to see that no more money is asked for from Parliament than is required for the needs of the State, and that no more money is spent by the Departments than has been authorised by Parliament. He has a seat in the Cabinet.

The "titbit" of the Administration from the financial point of view is the Lord Chancellorship. The salary attached to the office is £10,000—£4000 as Speaker of the House of Lords and £6000 as Lord Chancellor. In point of precedence it is also the highest office in the Government. The Lord High Chancellor of Great Britain takes precedence of every other subject of the Queen, except the royal dukes and the Archbishop of Canterbury. The First Lord of the Treasury—who as I have shown is usually the head of the Government—so far from being in point of precedence the first in the Cabinet, is nearly half-way down. So that at a ceremonial function Mr. Gladstone, when Premier, would have had to walk behind five or six men whom he had appointed to Cabinet office, and whom he could, in effect, dismiss. Lord Rosebery was First Lord of the Treasury in the late Liberal Administration, but held also the office of Lord President of the Council, which gave him formal precedence before all his colleagues except the Lord Chancellor. The latter office is also the oldest in the Government. It dates back to the time of Edward the Confessor. The Lord Chancellor is besides, as head of the Chancery Division of the Supreme Court of Judicature, the highest judicial officer in the land. As Speaker of the House of Lords, he presides over that House when it is sitting either as a judicial or

as a legislative body. He appoints all justices of the peace in counties, on the recommendation of the Lords Lieutenants and in boroughs on the recommendation of the Home Secretary, and he is supposed to exercise a general guardianship over infants, lunatics, and idiots. He has at his disposal an immense amount of patronage. He appoints all the judges of the Superior Courts save the Lord Chief Justice, whose office is in the gift of the Prime Minister, and also the judges of the county courts. He has besides the right of presentation to Crown livings of £20 and less. Finally, he is "Lord Keeper of the Great Seal," and is always a member of the Cabinet. The office is subject to a religious disability. The Lord Chancellor must receive the sacrament after the ritual of the Church of England and must take an oath abjuring the doctrine of transubstantiation.

The Lord President of the Council presides on the rare occasions that the Privy Council now meets. When the Queen is present at a meeting in Council the Lord President takes his place at her Majesty's right hand. In past years he was the president of certain committees of the Privy Council which are now defunct. In 1837, when Lord John Russell made the first attempt to establish a system of national education, a committee of that venerable body was appointed to administer the moneys which Parliament voted for the purpose, and over its deliberations the Lord President presided. In 1855 a new office was created—that of Vice-president of the Council—which in time became vested with all the administrative duties of the Lords of the Education Board. In like manner the duties of the Council in regard to trade have long since been discharged by the Board of Trade, and its duties in regard to public health

have gone to the Local Government Board. Again, till recently, the Lord President exercised all the statutory powers of the Privy Council in connection with the prevention of cattle disease. The creation, a few years ago, of a Board of Agriculture took that work out of his hands and left him with few duties that were not formal. But the office has now been entrusted with novel and important functions. The Lord President of the Council in the present Unionist Administration—the Duke of Devonshire—presides over a national defence committee, which aims at bringing into harmony of purpose the independent energies of the War Office and the Admiralty. The post carries a salary of £5000.

The office of Lord Privy Seal is an ornamental survival from the historic past when the Privy Council sought to restrain the acts of the Crown by insisting that the Lord Chancellor should not affix the imprimatur of the Great Seal to any grant, or patent, or writ the Sovereign desired to issue, without their authorisation in the form of a warrant under the Privy Seal. But in these happy days of Parliamentary government, the Lord Privy Seal has no departmental duties and no salary. The office is generally bestowed upon an experienced and eminent peer whose counsel is desired at the deliberations of the Cabinet.

There are five principal Secretaries of State—the Secretary for the Home Department, or the Home Secretary, as he is popularly styled; the Secretary for Foreign Affairs, or Foreign Secretary; the Secretary for India; the Secretary for the Colonies; and the Secretary for War. They are members of the Cabinet, and each receives £5000 per annum for his services. The Home Secretary is invariably in the House of Commons.

Though the predominance of the elected Chamber necessitates that a larger proportion of Cabinet Ministers should have seats there than in the hereditary Chamber, the holders of the other Secretaryships of State may be either in the House of Lords or in the House of Commons; but in either event, the Under-Secretaryship, which is attached to each of the offices, represents it in the other House. These Under-Secretaries are each paid £1500 per annum. They are never members of the Cabinet. The duties of the five Secretaries of State being easily understood, need no extended explanation.

Until 1854 there were only three Secretaries of State—the Home Secretary, who has under his control the police and the general administration of justice, advises the exercise of the prerogative of mercy or the clemency of the Crown, is responsible for the preservation of the public peace and for the security of life and property in England and Wales, and supervises the working of the various statutes regulating labour; the Foreign Secretary, who controls everything appertaining to the relations of this country with foreign States; and the Secretary for War, who, in addition to administering the affairs of the army, had to look after colonial matters until 1854, when the development of our possessions abroad led to the creation of a Secretary of State for the Colonies. In 1858, the year that witnessed the transfer of the powers of the East India Company, or “John Company,” by Act of Parliament, to the Imperial Government, the fifth Secretary of State was appointed to take charge of the affairs of India. The Constitution recognises no distinction among the Secretaries of State. The holder of any one of these



five offices is simply described as "one of her Majesty's principal Secretaries of State," and theoretically their duties are interchangeable. A Secretary of State must always be present in London.

The salary of the First Lord of the Admiralty, who is responsible for the navy, is £4500. The post is regarded, curiously enough, as of lower rank than the office of the Minister for War, who, as we have seen, has the distinction of being a Secretary for State, and draws £5000 per annum. The First Lord, however, has a seat in the Cabinet.

The Chief Secretary for Ireland receives a salary of £4425. There are also three Irish law-officers—the Lord Chancellor, who gets £8000 a year; the Attorney-General, who is paid £5000; and the Solicitor-General, who has £2000. They need not necessarily be in either House of Parliament. None of the Irish law-officers in the late Liberal Government were members of Parliament; but in the present Unionist Administration the Attorney-General and the Solicitor-General are in the House of Commons, and the Lord Chancellor, who has a seat in the Cabinet, is in the House of Lords. The highest paid office in the Administration is that of the Lord Lieutenant of Ireland, who receives a salary of £20,000. But it is a post few noblemen care to accept for various reasons, not the least being that, like the position of Lord Mayor of London, the allowance is not nearly sufficient to enable the holder to maintain its dignity. The Lord Lieutenant of Ireland must, like the Lord Chancellor, be a non-Catholic. The full title of the Chief Secretary is "Chief Secretary to the Lord Lieutenant of Ireland." The Chief Secretary was therefore originally subordinate to the Lord Lieutenant, but

the relations between the two have become somewhat inverted during the past fifteen years. Practically, the Chief Secretary is now solely responsible for the Irish Administration, and the Lord Lieutenant, as the representative of the Crown, is not much more than an ornamental and dignified figurehead. The seat in the Cabinet naturally went to the Chief Secretary since the rise of the office in importance. In the present Administration, however, there has been a reversion to the old order of things, so far at least as calling the Lord Lieutenant and not the Chief Secretary within the Cabinet is concerned. The Chief Secretary was also formerly subordinate to the Home Secretary; but he is now independent of all control of the Home Office. He is practically the Home Secretary, the Secretary to the Local Government Board, the Secretary to the Board of Works, and the Minister of Agriculture for Ireland.

Another office of dignity rather than of duty or responsibility, like the post of the Lord Privy Seal, is that of the Chancellor of the Duchy of Lancaster. The duties are purely nominal, and the holder of the office is generally a man who is able to come to the assistance of any member of the Administration when hard pressed in Parliament. He may be in either House, and generally has a seat in the Cabinet. He is paid £2000 per annum for his services.

Two of the busiest Ministers in the Administration are the President of the Board of Trade and the President of the Local Government Board, each of whom receives £2000 per annum, and as a rule they are both members of the Cabinet. The former looks after all commercial matters in the interest of the public. He also supervises the working of railways, tramways,

canals, harbours, and the mercantile marine service. The latter has charge of the public health, and controls our local authorities. The Postmaster-General, who manages the postal and telegraph services, receives £2500. He is not necessarily a Cabinet Minister. The President of the Board of Agriculture, whose principal duty is the prevention of diseases among our flocks and herds; the Vice-President of the Council for Education, who controls the working of our great system of national education; and the First Commissioner of Works, who has charge of the royal parks and pleasure-grounds, Government Offices, and public buildings, are each paid £2000 a year, and may or may not be in the Cabinet. The Secretary for Scotland attends to matters relating to Scotland—he is practically the Home Secretary of that country—and receives £2000 a year. He is now usually a member of the Cabinet. The Scottish law-officers, or the legal advisers of the Government in Scottish affairs, are the Lord Advocate, with a salary of £5000, and the Solicitor-General, with a salary of £2000.

The Attorney-General for England is paid a salary of £10,000; and the Solicitor-General, £9000; but both receive in addition high fees for any cases they may conduct on behalf of the Crown in the law-courts. According to a Parliamentary return published in 1895, the highest sum paid in salaries and fees to the Attorney-General for England in any year since 1880 was in 1893–94, when the total reached £20,285, this being made up as follows: Salary, £7000; fees and contentious business, £12,635; clerks, £650. The lowest point reached during the fifteen years was in 1889–90, when the total was £9179. The highest remuneration received by the

Solicitor-General for England since 1880 was in 1888–89, when £6000 was paid for salary and £5056 for contentious business, total, £11,056, while in 1891–92 it fell to £7168. The English law-officers have recently been debarred from accepting business except in the service of the Crown, but as a solatium their salaries were increased by £3000, or from £7000 to £10,000 in the case of the Attorney-General, and from £6000 to £9000 in the case of the Solicitor-General. They are the confidential advisers of the Government on legal questions. Both also expound and defend the legal portions of Government Bills in Committee of the House of Commons. Neither is ever called within the sacred circle of the Cabinet, owing to their connection with the administration of the criminal law. When they vacate office and become ex-law-officers of the Crown, they require a special fee of fifty guineas before appearing in any case in court.

Among the minor members of the Administration are a Financial Secretary to the Treasury, who assists the Chancellor of the Exchequer in revising and regulating the expenditure of every department of the State, and gets £2000 per annum; a Secretary to the Admiralty at a salary of £2000; a Civil Lord of the Admiralty at a salary of £1000, both of whom assist the First Lord of the Admiralty in the work of his department; a Financial Secretary to the War Office, who draws £1500 a year, the same salary as is paid to each of the Under-Secretaries to the five principal Secretaries of State—Home, Foreign, War, Indian, and Colonial; and there are Parliamentary Secretaries to the Board of Trade, and the Local Government Board, who receive £1200 each.

Besides the task of appointing to the Ministerial offices, the Prime Minister has the duty of filling up a number of posts in the Royal Household, which like those in the Administration are vacated on a change of Government. The Master of the Horse is paid £2500 per annum ; and the Master of the Buckhounds, £1500. The Lord Steward and the Lord Chamberlain are each paid £2000 ; the Vice-Chamberlain, £924 ; the Comptroller of the Household and the Treasurer of the Household, £904 each. There are also seven Lords-in-Waiting, each of whom draws £702 per annum ; a Parliamentary Groom-in-Waiting at £334 ; a Captain of the Yeomen of the Guard and a Captain of the Corps of Gentlemen-at-Arms, each at £1200 ; and a Mistress of the Robes, generally a duchess, at £500. The duties attached to these offices are of a ceremonial character, and are exceedingly light. The appointments enable the Government of the day to secure, principally in the House of Lords, the services of men who may be able to assist their party both in and out of Parliament.

But it may be asked, has a Minister anything to look forward to on retiring from office ? An ex-Lord Chancellor of England receives £5000 a year ; but in consideration of the pension continues to act as a Law Lord. An ex-Lord Chancellor of Ireland gets £3692 6s. 1d. ; the penny, like the more substantial remainder of the pension, being duly paid quarterly in farthings. Four pensions of £2000 each may be granted to as many ex-Ministers who, for not less than four years, have been either one or other of the five principal Secretaries of State, or First Lord of the Admiralty ; and four more pensions of £1200 each may be granted

to ex-Ministers who have filled for not less than six years an office of less than £5000, but not less than £2000 per annum. An applicant for one of these pensions, which were created by the Political Offices Pensions Act of 1869, must make a declaration that it is necessary for his support. The benefits of the Act have been taken advantage of by about ten ex-Ministers. If the holder of one of these pensions for "political and civil services" should be again appointed to office with salary, he is not entitled to draw the pension while he is in the Ministry.

A member of the House of Commons must resign his seat and seek re-election on accepting office. The only post exempt from the rule is the Secretaryship to the Treasury. This custom was established by an Act of the reign of Queen Anne. The object of compelling a representative to submit his acceptance of office to the judgment of his constituents was to restrain the corrupt influence of the Crown over Parliament by its power of conferring places of profit on servile and obsequious members. The danger the statute was designed to avert is now happily past and gone. The Sovereign is still, theoretically, "the source of justice and of mercy; of all offices, honours, emoluments and chartered rights;" and as such is supposed to confer their offices on the members of the Administration, but in reality the appointments are solely made by the Prime Minister. It is under him and not under the Crown that Ministers hold office. The Act of Anne, however, continues in operation despite the fact that the complete revolution which has since occurred in our political life has made it entirely remote from the realities of the present time. Several unsuccessful

attempts have been made to repeal the statute. The only modification of the original Act is that provided in the Reform Act of 1867, by which a Minister who may be removed from one office to another in the same Administration need not seek re-election.

Sydney Smith once suggested that each Minister should be provided with a "foolometer." "I mean," he explained "the acquaintance and society of three or four regular British fools as a test of public opinion. Every Cabinet Minister should judge of all his measures by his foolometer, as a navigator crowds or shortens sail by the barometer in his cabin." Charles James Fox often used to say, "I wonder what Lord B. will think of this?" As Lord B. happened to be a very stupid person, the curiosity of the friends of Fox was naturally excited to know why he should attach importance to the opinion of so ordinary and commonplace a person. "His opinion," explained Fox, "is of much more importance than you are aware of. He is an exact representative of all the commonplace English prejudices, and what Lord B. thinks of any measure the English people will think of it."

But the establishment of the penny post has brought every Minister into contact with all the fools of Great Britain and a good many outside the kingdom also. Piles of correspondence face him every morning on his breakfast-table at his private residence, again on his desk in his room at Whitehall towards noon, and for a third time during the afternoon when he appears in the House of Commons. The more prominent he is in Parliament, and, therefore, the more responsible the duties of his office, the greater is the legion of his tormentors through the post.

Of course the officials in the various Government departments at Whitehall do their best to lighten the labours of their chiefs. When the correspondence not marked "Private and confidential" has been read, the bulk of the letters, after the receipt of each is formally acknowledged, is carted away and ruthlessly destroyed. But there is left a large number of letters requiring the personal attention of the Minister. To each of these a piece of coloured paper is affixed to denote its degree of urgency. If red, the matter will wait; if yellow, it is to be dealt with as soon as possible; if green, it is urgent and of vital importance. "Private and confidential" has, of course, to be respected by the officials. Letters so marked are left to be dealt with solely by the Minister; but the vast majority of them might have been flung—worthless as they are—with the bulk of the opened letters in the waste-paper basket.

The contents of a Ministerial post-bag are certainly varied. Some of the letters are of a threatening character; others contain recipes for curing complaints and prolonging life. In 1887, during the late Conservative Administration, a dynamitard wrote to the Prime Minister that he and Mr. W. H. Smith, the First Lord of the Treasury, were specially marked for destruction. Lord Salisbury forwarded the interesting missive to his colleague, with the following note:

MY DEAR SMITH,—The enclosed may interest you. In point of superficialities, I fear I'm the bigger mark of the two.

On the other hand, during an indisposition from which Lord Rosebery suffered while Prime Minister, no fewer than one hundred cures for insomnia were sent to



Downing Street, all warranted to lull the sleepless statesman to rest.

Warnings of impending ruin to the Empire; offers of services to avert otherwise inevitable national disasters; schemes for the regeneration of society are also plentiful in the shoals of letters which reach Ministers daily at Whitehall and Westminster. Again and again have succeeding Foreign Secretaries been warned of a secret coalition having been formed by the Great Continental Powers to destroy the prestige of England, the warning being in each case accompanied by a patriotic offer on the part of the writer to betake himself to Paris and to St. Petersburg, to worm out the machinations of France and Russia, provided he was equipped with a modest purse of £5000 a year.

Lord Selborne, Under-Secretary for the Colonies in the present Administration, stated that during the Transvaal crisis, in the beginning of 1896, the Colonial Office received twenty letters a day, half the writers urging the Government to send 60,000 men to the Transvaal at once, and "crush Krüger," while the other half declared: "For goodness' sake leave Mr. Krüger alone."

About 40,000 schemes for paying off the National Debt have been received at the Treasury during the last forty years. Premiers have been pestered with innumerable plans for federating the Empire. The Budget is prepared every year by at least twenty amateur financiers from as many different standpoints, and sent cut-and-dry to the happy Chancellor of the Exchequer. The chief of the Treasury is thus saved half the labour of his arduous post. All he has to

do is to select one Budget from the heap, and read it as his own to a House of Commons spellbound by his genius as a financier.

But these people who are so eager to transfer to their own shoulders some of the heaviest responsibilities of our statesmen, and who apparently give all their time to thinking out schemes for the glory and material prosperity of the Empire, do not confine themselves to the facilities of the post in order to communicate with Ministers. They call in their thousands at the various State Departments, and solicit or demand personal interviews. The man with a genius for inventing extraordinary mechanical contrivances for all sorts of purposes is a familiar figure in the halls and corridors and lobbies of Whitehall and Westminster.

One day an inventor found his way into the private room of the Secretary of State for War, to explain a new contrivance which would destroy any army against which it was directed.

"It is the most powerful explosive the world ever saw," said the visitor, "and I propose to send up a balloon over an army that would attack ours, setting the fuse so that it would go off the moment the balloon floated over the army of the enemy."

"That is all very good, indeed," said the Secretary for War, interrupting; "but suppose that a current of air should carry your explosive balloon over our army—what then?"

"Well," said the inventor, laying his hand on the right hon. gentleman's arm; "I tell you what it is, my friend—our army would have to get up and run like the very Dickens!"

Perhaps it was these experiences that inspired Lord Rosebery's famous saying: "There are two supreme political pleasures in life. One is ideal, the other real. The ideal is when a man receives the seals of office from the hands of his Sovereign; the real when he hands them back."

## CHAPTER X

## "THE QUEEN'S SPEECH"

"THE Queen's Speech," which is read to both Houses of Parliament at the opening of every Session, and in which the legislative programme the Government contemplates for the Session is usually foreshadowed, is one of the many survivals of the historic past that touch the imagination—archaic and anomalous though they may now appear in some respects—and lend an antique charm to the making of our laws at Westminster. To call the speech "the Queen's Speech" is a polite fiction; ay, though the Lord Chancellor, before he reads it in the House of Lords is careful to say, following an immemorial custom with whose veracity time has played sad havoc, that it is "in her Majesty's own words." The Sovereign has little or nothing to do with its composition. It is really the speech of the Cabinet. But though in these days of constitutional Monarchy "the Speech from the Throne" (to give it its proper Parliamentary designation) is a mere ceremonial function, it was a potent reality that not infrequently spelt injustice and oppression to the subject, in times when the Sovereign was the absolute ruler of the land. Parliament could not meet in those far-off days unless summoned by the Sovereign. When Parliament did meet the Sovereign in his "Speech from the Throne" in

the House of Lords, laid down the business it had to discharge, and Parliament had to confine itself to the work thus allotted to it at the royal pleasure.

This prerogative is still theoretically vested in the Crown. Parliament can only be summoned by the Sovereign; but practically, since the Revolution, the Sovereign acts in the matter solely on the advice of the Ministers. Again, Parliament cannot proceed with any business until the speech of the Sovereign, stating the causes of summons has been delivered; but since the Revolution also, neither House is bound to consider only the matters mentioned in the speech.

The first draft of the speech is written by the Prime Minister. It is laid before the Cabinet for consideration, where perhaps it undergoes some alteration and emendation, and finally it is formally endorsed by the signature of the Sovereign at a meeting in Council, consisting of members of the Cabinet, called specially for the purpose. On two occasions since the Revolution Parliament has been opened with a speech which had not received the signature of the Sovereign—in 1789 and 1810, during the reign of George III., when, owing to illness, the King was incapable of exercising his constitutional functions. On both occasions the “causes of summons” were declared in virtue of a commission to which the Great Seal was attached by the Lord Chancellor, as the Lord Keeper of the Great Seal, without, of course, the authority of the Sovereign. The highest legal authorities of the day, and since, have held that this course was rendered strictly constitutional by the endorsement of the Great Seal, the emblem of sovereignty, which, with the prerogatives attached to it, are, they argued, handed

over to every Lord Chancellor on his appointment to office.

The speech is usually a commonplace document, and written as it is, in a prescribed form, it invariably bears a remarkable resemblance to its predecessors. It is always divided into three sections. The first section, addressed to "My Lords and Gentlemen," deals with the foreign affairs of the Empire; then there is a brief paragraph with regard to the estimates, specially addressed to "Gentlemen of the House of Commons," as the sole custodians and guardians of the public purse; and the third section, which also opens with "My Lords and Gentlemen," contains some general remarks on home affairs, such as the condition of trade; notices briefly any important facts in current foreign politics, or in the domestic annals of the Royal Family, and shadows forth the legislative programme of the Session. There is usually a concluding invocation of "the blessing and guidance of Almighty God" upon the labours which Parliament is about to undertake.

"Well, Lord Chancellor," said George III. to Lord Eldon, on one occasion, as he was going out of the House of Lords, after opening Parliament, "did I deliver the speech well?" "Very well indeed, Sir," was the reply. "I'm surprised at that" said the King, "for there was nothing in it." His Majesty put "a very good thing" into the first speech he ever read from the Throne. He was the first English-born King since the Revolution. There was consequently much popular rejoicing when he succeeded to the Crown in 1760. "We have now (praise be to God for it) a truly patriot King!" was the sentiment of the day. He was to open his first Parliament in November 1760, and in

due course his Ministers submitted to him the draft of the speech. He then inserted in the speech with his own hand the happy sentence: “Born and educated in this country, I glory in the name of Briton.” It increased his popularity immensely. Another anecdote, also from the reign of George III., will show that the Sovereign has nothing to do with the composition of the speech, beyond formally affixing his signature to it. In 1770 the speech contained an allusion to an act of oppression by a Spanish officer in the Falkland Islands, which had aroused popular indignation, and said, contrary to the fact, that the Spanish Government had disowned the conduct of its officer. “There never was a more odious, a more infamous falsehood, imposed on a great nation,” said Lord Chatham, in the course of a vehement attack on the Speech from the Throne for this comment on the incident. “It degrades the King; it insults the Parliament. His Majesty has been advised to affirm an absolute falsehood.”

There is a popular tradition that “the Queen’s Speeches” are about the worst models of “the Queen’s English” to be found in our language. But that criticism is rather too sweeping in its condemnation. A perusal of the speeches which have been delivered in Parliament in the name of the Queen will show that while some are feeble, pointless and ungrammatical, many are couched in the most graphic, terse, and forcible language. In the first category are most of the speeches written by Lord Melbourne, and a few by Lord John Russell; and in the latter class are almost all of those of Lord Derby, Lord Palmerston, Lord Beaconsfield, Mr. Gladstone, and Lord Salisbury. Lord Beaconsfield’s “Queen’s Speeches” are, as a rule,

ornate in style. In one there is a picture of "the elephants of Asia carrying the artillery of Europe over the mountains of Rasselas"; and another, referring to the founding of British Columbia, contains this "purple patch":

Her Majesty hopes that this new colony in the Pacific may be but one step in a career of steady progress, by which her Majesty's dominions in North America may ultimately be peopled by an unbroken chain, from the Atlantic to the Pacific, of a loyal and industrious population of subjects of the British Crown.

The Queen, has not often, during her long reign, opened Parliament in person. It has usually been done, especially in later years, by Commission. The first Parliament of the Queen was opened on November 20, 1839, by her Majesty in person. The scene on that historic occasion in the old House of Lords was most brilliant. Ladies-in-waiting were grouped behind the young Queen, bearing up her long train. Her mother, the Duchess of Kent, stood by her side to the right, and a little to the rear; on her left were Viscount Melbourne, and other Ministers. The benches were crowded with peers and peeresses—amongst whom Wellington, Brougham, Lyndhurst, were distinguished figures—in robes and Court dresses. Below the Bar were assembled the Commons, with the Speaker (James Abercromby) at their head, and in the throng might have been seen such eminent statesmen and giants of the Lower House as Lord John Russell, Sir Robert Peel, Lord Palmerston, Daniel O'Connell, Robert Stanley, and two young members—Gladstone, who had been four years in Parliament, and had held office in the late



Tory Government; and Disraeli, who had just been returned, at the General Election, for Maidstone, and who in a few weeks (on December 7 following), was to make his famous maiden speech, which the House punctuated with ironical laughter, but which concluded with the prophetic declaration: “Though I sit down now, the time will come when you will hear me.” Writing to his sister, on November 21, 1837, Disraeli thus describes the rush of the Commons to the House of Lords, and the brilliant scene in that Chamber on the previous day :

The rush was terrific ; Abercromby himself nearly thrown down and trampled upon, and his mace-bearer banging the members’ heads with his gorgeous weapon and cracking skulls with impunity. I am fortunate enough to escape, however, and also to ensure an entry. It was a magnificent spectacle. The Queen looked admirable ; no feathers, but a diamond tiara. The peers in robes, the peeresses and the sumptuous groups of courtiers rendered the affair most glittering and imposing.

“The Speech from the Throne,” which was written by the Prime Minister, Lord Melbourne, and read by her Majesty, was for the first time transmitted to the chief towns of the kingdom by the electric telegraph. It concluded with these words :

The early age at which I am called to the sovereignty of this kingdom renders it a more imperative duty that under divine Providence I should place my reliance upon your cordial co-operation, and upon the loyal affection of all my people.

“The Queen’s voice was excellent,” wrote Mrs. Kemble, the famous actress, who was present ; “nor

have I ever heard any spoken words more musical in their gentle distinctness than the ‘my lords and gentlemen’ which broke the breathless silence of the illustrious assembly, whose gaze was riveted upon that fair flower of royalty.”

A year earlier Parliament was opened by William IV. for the last time. What a contrast between that pathetic scene and this splendid and joyful ceremony! The aged King, wrapped in his ample white ermine robes, and his grey locks surmounted by the Imperial crown, stood on the Throne in the House of Lords, with the shadows of evening thickening in the Chamber, struggling, with his impaired vision and the defective light, to read the speech which had been prepared for him by Lord Melbourne. He stammered slowly, and almost inaudibly, through the first few sentences of the manuscript, pausing now and then over a difficult word, which was too much for him, and turning to the Prime Minister with the query, “What is it, Melbourne?” At last, losing all patience, he angrily exclaimed, in that full-blooded language of which he was so fond: “Damn it, I can’t see!” A number of wax tapers were brought in, and placed close to the aged king. “My lords and gentlemen,” said he then, “I have hitherto not been able, for want of light, to read this speech in a way its importance deserves; but as lights are now brought me, I will read it again from the commencement, and in a way which, I trust, will command your attention.” And read it he did in as strong and clear a voice as he could command, with a pathetic desire to show to the assembled Peers and Commons that his mental and physical powers were by no means failing him.

It was at the opening of the third Session of the first Parliament of the Queen, on January 16, 1840, Lord Melbourne being still Premier, that her Majesty read from her speech the announcement of her approaching marriage in the following words :

My Lords and Gentlemen,—Since you were last assembled I have declared my intention of allying myself in marriage with Prince Albert of Saxe-Coburg and Gotha. I humbly implore that the divine blessing may prosper this union, and render it conducive to the interests of my people, as well as to my own domestic happiness ; and it will be to me a source of the most lively satisfaction to find the resolution I have taken approved by my Parliament. The constant proofs which I have received of your attachment to my person and family persuade me that you will enable me to provide for such an establishment as may appear suitable to the rank of the Prince and the dignity of the Crown.

The royal marriage was solemnised that day month, February 16, 1840, and on the next occasion her Majesty opened Parliament, February 3, 1842, Sir Robert Peel being Prime Minister, she announced in the speech another most joyful event in her domestic life—the birth of the Prince of Wales—which took place on November 9, 1841. The speech said :

My Lords and Gentlemen,—I cannot meet you in Parliament assembled without making a public acknowledgment of my gratitude to Almighty God, on account of the birth of the Prince, my son—an event which has completed the measure of my domestic happiness, and has been hailed with every demonstration of affectionate attachment to my person and government by my faithful and loyal people.

The Prince Consort died on December 14, 1861. At the opening, by Commission, of the fourth Session of her Majesty's sixth Parliament, Lord Palmerston being Premier, this great domestic affliction of the Sovereign was thus announced in "the Queen's Speech :"

My Lords and Gentlemen,—We are commanded by her Majesty to assure you that her Majesty is persuaded that you will deeply participate in the affliction by which her Majesty has been overwhelmed by the calamitous, untimely and irreparable loss of her beloved Consort, who has been her comfort and support. It has been, however, soothing to her Majesty, while suffering most acutely under this awful dispensation of Providence, to receive from all classes of her subjects the most cordial assurances of their sympathy with her sorrow, as well as their appreciation of the noble character of him, the greatness of whose loss to her Majesty and to the nation is so justly and so universally felt and lamented.

On the occasions, few and far between, that her Majesty has opened Parliament in person since the death of the Prince Consort, the speech has been read, at her command, by the Lord Chancellor.

Until 1870 the speech was, in the Queen's absence, always written in the third person. It commenced with the formula—"We have her Majesty's commands to declare that her Majesty," &c. But Mr. Gladstone, in the year mentioned, wrote the speech in the first person, with a liberal use of the pronoun "I," and since then that example has been invariably followed by all Prime Ministers.

Such, then, is the origin, the purport, and the meaning of "the Speech from the Throne," which is read in

the House of Lords to both Houses, after the members returned to serve in a new Parliament have been sworn in, or on the first day of an ordinary Session.

Parliament is summoned for a Session in the name of the Sovereign, but really by the Cabinet. A proclamation, signed by the Queen, is published in the *London Gazette*—the official organ of the Government—calling together, on a certain date mentioned, the lords spiritual and temporal, and the representatives of the people, for the transaction of divers urgent and important business. Tuesday or Thursday is usually chosen for the assembling of Parliament, as meeting on Monday would involve the members’ travelling on Sunday, and as the sitting on Wednesday is short and usually devoted to private members. Two o’clock is always the hour fixed for the opening ceremony. In the morning, the cellars beneath the Palace of Westminster are searched by the Yeomen of the Guard, whether it be the first day of a new Parliament, or the first day of an ordinary Session.

As two o’clock approaches, the Chamber becomes crowded with members. They form groups, irrespective of party, chatting, joking, and laughing, relating their experiences during the recess, or discussing the political prospects of the Session. Suddenly the animated buzz of conversation in the Chamber is stilled by cries of “Way for the Speaker! Way for the Speaker!” which resound in stentorian tones through the lobbies outside; and the cry is followed by a rush of members to their places. The benches on each side are now thronged, and members respectfully stand uncovered to receive the Speaker.

Arrayed now in his full attire—the flowing silk

gown, knee-breeches, silk stockings, shoes with silver buckles; on his head the huge wig, with wings that fall down at each side over his shoulders, and carrying his three-cornered hat in his right hand—the Speaker, attended by his Chaplain in a Geneva gown, and the Serjeant-at-Arms, in court or levée dress, a sword by his side, and carrying the huge bronze mace on his right shoulder, walks slowly up the floor of the Chamber, and as he approaches the Chair, he makes it three low obeisances.

Prayers for “light and leading” are recited by the Chaplain, after which the members, in single file, pass the Chair and shake hands with the Speaker. Then comes “Black Rod” to summon the Commons to the Upper Chamber. The Speaker slowly leaves the Chair—it would be a breach of the best traditions of his office for a Speaker to show any sign of haste—and attended by the Serjeant-at-Arms, bearing the mace on his shoulder, and accompanied by the members in a mass behind, follows “Black Rod” out through the lobbies to the Bar of the House of Lords, to hear “the Queen’s Speech” read. When the Sovereign opens Parliament in person, so keen is the desire of the Commons to witness the ceremony, that they hustle and jostle and shoulder each other, and press closely on the heels of the Speaker, in their eagerness to secure good places in the very limited space allotted to them in the House of Lords. At the opening of Parliament by the Queen in 1851, Mr. Joseph Hume complained in the House of Commons that he had been very roughly treated in the Upper Chamber during the ceremony. “I neither saw the Queen nor heard her voice,” said he, plaintively. “I was crushed into a corner; my head was knocked against a post, and

I might have been much injured if a stout member, to whom I am much obliged, had not come to my assistance.” On another occasion a member had his coat torn and his shoulder dislocated during the rush. In 1866, the gown of the Speaker was trodden upon and torn off his back. In 1875 Disraeli, then Prime Minister, was thrown down in the rush and narrowly escaped injury. On being raised, he quietly said: “This shall not occur again!” He was Lord Beaconsfield at the opening of the following Session, and in the same ceremony carried the Sword of State immediately before the Queen, as she walked into the House of Lords.

“What a pity that these thoughtful boys should ever become frivolous members of Parliament,” exclaimed Sydney Smith during a visit to Eton or Harrow. One is reminded of the saying of the wit by these occasional scrimmages amongst members of the House of Commons as they rush to the House of Lords to hear “the Speech from the Throne.” It is like the scramble for places in the pit and gallery of a popular theatre on a first-night performance. A crowd of schoolboys is not more noisy, or less dignified, than our representatives as they troop across the lobbies, pushing and shoving and jostling until the Speaker is often forced by the press behind to change his slow and measured pace into an undignified trot.

Arrived at the door of the House of Lords, the Serjeant-at-Arms leaves the mace in charge of one of the group of messengers—all in knee-breeches and swallow-tailed coats—who attend the Speaker from the House of Commons. The mace is not allowed to be brought into the Chamber of the Lords. Here we

have another instance of the jealousy of each Chamber in guarding its rights and privileges. As the Commons do not admit "Black Rod" to their presence until he first humbly asks permission, so the Lords will not permit the mace—the emblem of the power and authority of the Commons—to affront their sight within the walls of their own Chamber. The Serjeant-at-Arms must therefore leave the mace with one of his attendants at the door of the House of Lords. Entering the Chamber, the Speaker stands at the Bar, with "Black Rod" on his right, the Serjeant-at-Arms on his left, while the members squeeze into the enclosed pen behind, or crowd into two small remote galleries which flank the Press and strangers' galleries just over the Bar. The space in the Upper House at the disposal of the Commons is not sufficient to accommodate a sixth of their numbers, and hence the great rush to secure a good place and a point of vantage.

On the rare occasions the Sovereign is present, the spectacle in the House of Lords is full of colour and ablaze with jewels. The Queen sits on the Throne, a magnificent chair, richly carved, studded with crystals emblazoned with the royal arms and other heraldic devices in gold, and raised on a crimson dais at the end of the Chamber. She wears a miniature of the Imperial crown over her white widow's cap, from which long white streamers depend at each side. The robe of state, a long, sweeping, ermine cloak, is thrown loosely over her shoulders, so as not to hide the broad blue ribbon and the star of the Order of the Garter, which she displays over her customary black dress, her splendid necklace of diamonds, and the flashing Koh-i-noor on her breast.



The Prince of Wales, in his crimson robes as a peer of the Blood Royal, sits on a chair to the right of the Throne, while grouped around are the officers of state, the Earl Marshal, the Lord Chamberlain, the Garter-King-at-Arms, in scarlet and gold. To the left of the Throne a vacant chair may be noticed. It is the chair the Prince Consort used to occupy at the opening of Parliament by the Queen. The crimson benches are crowded with the peers in their scarlet robes, with the bishops in their black, flowing gowns and lawn sleeves of liberal amplitude ; and the galleries around are bright with the fair faces, the variegated dresses, the diamonds and flowers of peeresses and other ladies of high degree. This brilliant picture is magnificently framed by the brown oak panelling of the Chamber, the stained glass windows with their effigies of departed kings and queens, the statues of the armour-clad barons of Magna Charta,—everything appealing to history, tradition, sentiment, imagination, and reverence, and the whole forming a most stately and impressive spectacle.

When Parliament is opened by Royal Commission, as it now invariably is, the ceremony, though naturally shorn of much of its splendour by the absence of the Sovereign, is not the less interesting and attractive from the historical point of view. On such an occasion, as I have already described in a preceding chapter, the most conspicuous figures in the ceremony are five personages sitting in a row on a bench beneath the Throne, wearing scarlet robes trimmed with white fur, and black three-cornered hats. They are the Lord High Commissioners—the centre figure being the Lord Chancellor—who are appointed by the Queen to act on her behalf.

The Lord Chancellor announces to the members of both Houses—whether the occasion be the assembling of a new Parliament or the opening of a Session—that her Majesty, “not thinking it fit to be personally present,” has been pleased to cause a Commission to be issued under the Great Seal, “in order to the opening and controlling of this Parliament.” The Royal Commission is then read by the Reading Clerk, one of the three clerks robed in gowns and wigs (like the Clerks of the House of Commons), who sit at the table; after which the Lord Chancellor, still retaining his seat, and his head still covered by his quaint black hat, reads “the Speech from the Throne” in “the Queen’s own words.” This ends for the present the proceedings in the House of Lords.

Not a word is said by the Speaker during the ceremony. When all is over he bows to the Lords Commissioners—which they acknowledge by raising their hats—and then retires to the Lower House, attended by the Serjeant-at-Arms, who again carries the mace; but instead of taking the Chair, he disappears behind it, and retires to his residence. The Serjeant-at-Arms leaves the mace upon the table, to indicate that there is but a suspension of the sitting and not an adjournment of the House. At four o’clock the Lords and the Commons re-assemble in their respective Chambers. “The Queen’s Speech” is again read in both Houses—in the Lords by the Lord Chancellor, in the Commons by the Speaker. But before this happens it is the practice of each House to carry the reading of some Bill, *pro forma*. The incident escapes the notice of most members of the respective Houses, it passes so quietly, and those who see it do not, perhaps, grasp

its significance. Yet it is of high constitutional import, notwithstanding its unostentatious character. The Clerk in each House simply rises and reads the title of some Government Bill; the Speaker or the Lord Chancellor at once puts the question that it be read a first time, and declares it carried. The practice is meant to assert the privilege of Parliament to debate matters other than those set forth as “the causes of summons” in the Speech from the Throne.

The House of Commons is once more crowded with members. All of them, probably, accompanied the Speaker two hours previously to the House of Lords to hear “the Queen’s Speech.” But, nevertheless, the Speaker gravely informs them that “this House has been to the House of Peers” to hear the gracious “Speech from the Throne”; and having, as he says, “for greater accuracy,” procured a copy of that speech, he proceeds to read it with solemn, emphatic emphasis to the House, which already knows its purport. The speech, it should be mentioned, is printed as a Parliamentary paper. It is one of the polite customs of Parliament for the chief leaders of the Opposition to receive copies of the speech the night before it is delivered, in order that they may have the opportunity of privately considering it before the time comes for public criticism of it in the House. Then, when it is read to both Houses by the Lord Chancellor, copies are given to representatives of the Press, so that it appears in every evening newspaper in London and the provinces long before the Houses, when they assemble again at four o’clock, hear it read for the second time.

In each House a motion for an Address to her Majesty for her “most gracious speech” is then sub-

mitted on behalf of the Government. It is the custom for the proposer and seconder of the Address in each House to attend in their places in uniform or full dress. The uniforms of the Militia or Yeomanry are much affected on such occasions, but if the necessary commission in either of these branches of the service is not held by the proposer or seconder, court costume or levée dress is worn; and the rule which prohibits a member of either House to enter it wearing a sword is suspended for the occasion. There is, however, on record one instance of the Address having been seconded by a member who wore neither a civil nor military uniform. Mr. Charles Fenwick, the labour member, when he seconded the motion for the Address at the opening of the first Session of the Liberal Parliament of 1893-95, wore ordinary attire.

It is considered a flattering compliment to be invited to move or second the motion for the Address in reply to "the Queen's Speech." Two young members of promise belonging to the party in office are generally selected for the distinction; and, as a rule, one represents an urban constituency and the other a rural one—one is connected with land and the other with trade. And yet the occasion affords little scope for a fine oratorical effort. The speeches are usually mere echoes of the Queen's Speech, commonplace commendations of its references to foreign affairs and its promises of domestic legislation, and are rarely marked by independence of thought or originality of expression. But the debate which follows is of serious import. The Opposition give battle to the Ministerialists. The policy of the Government is attacked all along the line in a series of amendments to the Address, and frequently for a full fortnight the

jangle of party controversy is heard in the House of Commons.

Formerly the Address was a very elaborate document, which gave thanks to her Majesty for each and every paragraph in the speech. But in recent years it has assumed a more simple and rational form, as follows :

That an humble Address be presented to her Majesty, as followeth :

Most gracious Sovereign,—We, your Majesty’s most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, beg leave to thank your Majesty for the most gracious speech which your Majesty has addressed to both Houses of Parliament.

When “ the Speech from the Throne ” was read by the Queen to the assembled Houses of Parliament, or by the Lord Chancellor at her command and in her presence, the Addresses in reply from the Lords and the Commons were formerly presented to her Majesty at Buckingham Palace or at Windsor Palace, nominally by “ the whole House ” in each case, but really by the Lord Chancellor for the Lords and the Speaker for the Commons, each being attended by the proposer and seconder and a few select members of either House. All the members of each House have, however, free entry to the royal presence on such occasions.

But the course which has been followed in recent years is that the Addresses are presented by two officers of the Royal Household who are members of the Administration, and, of course, members of the House of Lords or the House of Commons. These officers also bring back to both Houses the Queen’s acknow-

ledgment of the Addresses. A message from the Throne, or, as it is called, "a message under the royal sign-manual," is presented to both Houses with some ceremony. In the Lords, the Lord Steward of the Household, in full levée costume and bearing a white staff in his left hand, rises in his place at an opportune moment and announces that he has a message under the royal sign-manual which her Majesty had commanded him to deliver to their lordships. He then presents it to the Lord Chancellor, who reads it to the House. In the Commons the incident is a little more picturesque. It comes off in the usually idle half-hour that intervenes between prayers and questions. The Comptroller of the Household, who bears the message from the Throne, appears at the Bar unannounced. Unlike the incursions of "Black Rod," from the House of Lords, who is always announced by the ear-splitting whoop of the doorkeeper and enters the Chamber amid wild alarums, the messenger from the Throne has free entry to the House; he comes in without fuss or noise, and, his duty discharged, is allowed to depart in peace. Standing at the Bar, in his dark uniform, relieved by a liberal display of golden braid and gilt buttons, his three-cornered hat under his left arm, a white wand in his left hand, and the royal message, engrossed on parchment, in his right, he announces to the Speaker, who stands as the message from the Throne is being delivered, while the members respectfully uncover, that he bears from her Majesty her most grateful thanks for the Address from her faithful Commons. Then, advancing to the table, he hands the message to the Clerk, who passes it on to the Speaker, by whom it is read to the House.

After this the Comptroller of the Household retires down the floor, stepping backwards, facing the Chair and bowing at intervals, until the Bar is reached again, when, turning round, he disappears through the swing-doors. But this occurs at least a week after the Address has been adopted, and the work of Parliament has begun in real earnest.

## CHAPTER XI

## THE SERJEANT-AT-ARMS

A CONSPICUOUS object in the House of Commons is a large armchair of heavy oak, upholstered in dark green leather, raised about two feet above the level of the floor, and standing at the Bar, just inside the swing-doors which form the main entrance to the legislative Chamber. This is the chair of the Serjeant-at-Arms, the chief executive officer of the House of Commons, who is charged with the important duties of preserving order and decorum in the Chamber and its precincts, and of executing the warrants of the House against persons it has adjudged guilty of breaches of its privileges or contempt of its dignity.

The Serjeant-at-Arms is therefore a high official of the House of Commons. During the proceedings of the House he sits in his chair facing the Speaker, clad in a tight-fitting cut-away coat of sober black, open at the breast to show the daintiest of ruffles in the whitest of cambric (of which the fops in the times of the Georges were so fond); knee-breeches of the same material as the coat; black silk stockings, and shoes with silver buckles, and, as the symbol of the power and authority of his office, a sword in its scabbard is girt to his side. His voice is never heard in the House. He discharges his various functions under the directions of the Speaker.



But it is rarely necessary for the Speaker to give an order, and a reply or explanation from the Serjeant-at-Arms is never needed.

The Serjeant-at-Arms receives a salary of £1200, and has, besides, an official residence adjoining the Speaker's in the Palace of Westminster. The deputy Serjeant-at-Arms, who, wearing the same official dress as the Serjeant-at-Arms, takes turns at sitting on guard in the big chair at the Bar, receives a salary of £800 a year with a residence in the Palace. There is also an assistant Serjeant-at-Arms. He, however, never appears on the floor of the House, but attends to the administrative work of the office outside the Chamber. He has £500 a year and £150 as an allowance for a house. The department of the Serjeant-at-Arms costs altogether £9703 per annum, most of which goes in salaries, for, in addition to the principal officials already mentioned, there are twenty door-keepers and messengers (recognised by the brass chain and badge of Mercury which each wears across his breast), who assist under the directions of the Serjeant-at-Arms in maintaining order among "strangers" in the House, and in carrying messages between members of Parliament.

The Serjeant-at-Arms is appointed by the Sovereign personally. He is supposed, indeed, to be merely lent to the House of Commons, but he may, by resolution of the House, be removed from his office for misconduct without the assent of the Crown. There is, however, only one such dismissal on record in Parliamentary annals, and it is so interesting in its details as to be well worth recounting. In 1675 an appeal from the decision in a civil action heard in one of the high courts, in which a member of Parliament was the victorious party,

was taken to the House of Lords. But the Commons, jealous of their privileges, held that the prosecution of any suit in the House of Lords in which a member of the House of Commons was concerned, was a breach of privilege, and they ordered the counsel for the appellant, under threat of fine and imprisonment, not to plead at the Bar of the Upper Chamber. The House of Lords, however, commanded the counsel to appear before them and plead, or suffer similar pains and penalties for disobedience; and preferring, evidently, to face the wrath of the Commons to the wrath of the Lords, the counsel decided to go on with the suit. Accordingly Sir John Churchill, who was the leading counsel for appellant, rose in the court in Westminster Hall to plead the cause of his client, and was immediately arrested by the Serjeant-at-Arms, acting under the directions of the Commons, and detained in custody in that official's residence at Westminster. On being informed of what had happened, the Lords at once sent "Black Rod" (who discharges some of the duties of a Serjeant-at-Arms for the Upper Chamber) with a peremptory demand for the release of the imprisoned counsel. In a weak moment the Serjeant-at-Arms (Sir James Norfolk) yielded to "Black Rod," and without having obtained the order of the Commons, gave Sir John Churchill his liberty. The indignation of the Commons in thus being worsted in their pretty little quarrel with the Lords was vented on the unhappy Serjeant-at-Arms. They peremptorily dismissed him from his post, and sent an address to the King to appoint another Serjeant-at-Arms in his place, declaring that he was guilty of having "betrayed his trust in not executing his office according to the orders and directions of this House."

One of the chief duties of the Serjeant-at-Arms is to attend the Speaker. With the heavy mace on his shoulder, he accompanies the Speaker to the Chair at the opening of every sitting; and at the close of the sitting, again carrying the mace, he leads the way for the Speaker out of the Chamber, while his messengers in the lobbies cry out, "Who goes home?" He attends the Speaker in like manner when the Speaker is summoned by "Black Rod" to the House of Lords; but though he carries the mace high on his shoulder through the lobbies that lie between the two Chambers, he humbly lowers it as he reaches the threshold of the Upper House, and leaves it outside so that it may not affront the imperious gaze of the Lords.

But only those who have been in the House of Commons on one of those rare occasions when some violator of the privileges of the House is brought to the Bar for judgment, have seen the Serjeant-at-Arms in all his glory. Parliament is a High Court of Justice as well as a legislative body. It can redress its own wrongs, avenge all insults to its dignity, and vindicate its privileges. Like all courts, high or low, it has the power to summarily punish disobedience of its orders and mandates, indignities offered to its proceedings, assaults upon the persons, or reflections upon the characters of its members, or interference with its officers in the discharge of their duties. The Serjeant-at-Arms can arrest, under the warrant of the Speaker, issued by order of the House, any person anywhere within the limits of the kingdom. In the execution of the warrant he can call on the aid of the civil power; he can, if he thinks necessary, requisition the assistance of the military, and break into a private residence between sunrise

and sunset, if he has reason to suspect that the person he is in search of is inside.

Having secured his prisoner, the Serjeant-at-Arms brings him to the House of Commons. A brass rod, which is telescoped in a receptacle close to the chair of the Serjeant-at-Arms, is pulled out and stretched across the Bar, or line, which marks the technical boundary of the Chamber. The sight of that glittering rod is then as thrilling as the spectacle of the judge fixing on his black cap to impose a sentence of death. Here the prisoner stands. To his right is the Serjeant-at-Arms, carrying the mace on his shoulder. At the other end of the Chamber, standing on the dais in front of the Chair is Mr. Speaker, in his flowing silk gown, his face sternly set under his huge wig—a terror-inspiring figure on such occasions—delivering in the weightiest words he can command, amid the dramatic hush of the crowded House, the sentence or reprimand of the House, on the violator of its ancient privileges. The last occasion on which this spectacle was witnessed in the House of Commons was in 1887, when a youth named Reginald Bidmead was brought to the Bar in the custody of the Serjeant-at-Arms, for having got up a petition to the House in reference to the coal and wine duties of the City of London, in which it was found by the Committee on Petitions that there were over 1700 bogus signatures. Mr. Speaker Peel did not impose any sentence of imprisonment on the trembling prisoner at the Bar, but he administered to him a very scathing reprimand. “You will leave this House,” said the Speaker, concluding his stirring address, “under its severe censure, and under the stigma of its strong disapprobation.”

In former times it was compulsory on the prisoner at

the Bar to receive his sentence kneeling. In February 1751, a Scottish gentleman named Alexander Murray (brother of Lord Elibank), who, in the course of a contested election at Westminster, under the very shadow of the towers of the House of Commons, spoke disrespectfully of that august assembly, and was brought to the Bar to receive the sentence his audacity warranted. But he was evidently unimpressed by the crowded benches, by the Speaker (Mr. Onslow) standing erect on the dais, or by the Serjeant-at-Arms with the mace on his shoulder, for he refused to kneel though the Speaker sternly roared at him, "Your obeisances, sir!" "You forget yourself!" "On your knees, sir!" "Sir," said Mr. Murray, "I beg to be excused; I never kneel but to God." "On your knees, sir!" again roared the Speaker. "Your obeisances. You must kneel." But the proud spirit of the Scot revolted against this indignity. Down on his knees Mr. Murray would not go. "That," said he, "is an attitude of humbleness which I adopt only when I confess my sins to the Almighty." He was adjudged guilty of having aggravated his original offence by "high and dangerous contempt," and he was committed to Newgate. A committal to prison by either House lapses at the termination of the Session, and so when Parliament was prorogued the doors of his prison had to be flung open for Mr. Murray. The House of Commons, however, did not think that three or four months' incarceration adequately purged the Scotsman of his audacious offence. Next Session, therefore, the Serjeant-at-Arms was sent to his residence with a warrant for his arrest. But he had fled, and though a reward of £500 was offered for his apprehension he was never again captured.

Twenty years afterwards the custom requiring prisoners to kneel at the Bar of the House of Commons was abolished. The last prisoner to suffer this indignity was a journalist—Mr. Baldwin, the publisher of *St. James's Chronicle*. On March 14, 1771, he was censured for publishing a report of the proceedings of the House, and was compelled to prostrate himself abjectly before the awful majesty of the assembly he had outraged. In 1772 a "Standing Order" was passed—inspired, as John Hatsell (the Clerk of the House) ingenuously suggests, by "the humanity of the House"—by which it was ordered that all future delinquents should receive the judgment of the House standing. The Lords, however, have never formally renounced this usage by Standing Order. Warren Hastings was obliged to kneel at the Bar of the House of Lords on being admitted to bail in 1787 after his impeachment; and again, at the opening of his trial in the following year, he appeared kneeling, until directed to rise by the Lord Chancellor. "I can," he afterwards wrote, half pathetically and half indignantly, "with truth affirm that I have borne with indifference all the base treatment I have had dealt to me—all except the ignominious ceremonial of kneeling before the House." Even when he was called to the Bar to hear his acquittal announced by the Lord Chancellor, eight years afterwards, he had to undergo the same offensive and humiliating ordeal. The Lords, however, have not for many years required a prisoner to kneel at the Bar.

Persons of all sorts and descriptions, as the Journals of the House show, have been brought to the Bar of the Commons by the Serjeant-at-Arms for disobedience of the orders and rules of the House; for indignities offered

to its character or proceedings, for assaults or insults upon members, reflections upon their character and conduct in Parliament, or for interference with the officers of the House in the discharge of their duties, and have been committed to prison, or censured by Mr. Speaker. Some very whimsical breaches of privilege have been brought to the notice of the House. A gentleman named Hyde, who tried to obtain admission to Westminster Hall to witness the impeachment of Warren Hastings, was rudely jostled out into Palace Yard by a police constable. Hyde had the constable served with a summons for assault. But the constable complained to the House, and Hyde was arrested by the Serjeant-at-Arms, brought to the Bar, and committed to prison, for a breach of privilege in endeavouring to bring an officer of the House to answer a charge before the ordinary legal tribunals of the land. But perhaps the most amusing instance was one in which a newspaper reporter figured. "Dick" Martin, a well-known and popular Irish M.P. in the Twenties (he it was who founded the excellent Society for the Prevention of Cruelty to Animals) was greatly perturbed to find one morning in a London newspaper some passages of a speech he had delivered in the House on the previous night printed in italics. He complained to the House of having been misrepresented, and the offending reporter—who happened to be a fellow-countryman of Mr. Martin—was brought to the Bar for a breach of privilege. The journalist pleaded that the report was absolutely correct. "It may be," replied the indignant Irish representative, "but I defy the gentleman to prove that I spoke in italics!" The reporter was dismissed amid the laughter of the House.

But it is not alone to "strangers" who have offended against the dignity and majesty of the House of Commons that the Serjeant-at-Arms is a terror-inspiring personage. Even members of the House may have occasion to fear the dread touch of his hand on their shoulder. Of the large number of new members returned at the General Election few, if any, are probably aware of the fact—which, indeed, is not generally known even to old members—that the Clock Tower contains a suite of rooms for the confinement of members of Parliament who may be adjudged guilty by the House of some serious breach of its privileges or some outrage on its decorum which merits imprisonment. A member of Parliament arrested at the order of the Speaker was formerly sent, like "strangers" guilty of breaches of privilege, to Newgate, or to the Tower. But in the present Palace of Westminster, six rooms are specially provided in the Clock Tower for the accommodation of members of Parliament committed to prison by the Speaker, while "strangers" sentenced to imprisonment by the House are lodged in Newgate. About half-way up the Clock Tower, and under the home of that popular London celebrity, "Big Ben,"—perhaps the best known public clock in the whole wide world—are the apartments—two suites of rooms, each consisting of two bed-chambers, one for the prisoner, and the other for one of the messengers of the Serjeant-at-Arms, who acts as gaoler, and a comfortably furnished sitting-room, about twenty feet long by fifteen feet wide. There is, therefore, accommodation for two prisoners and two gaolers in the Clock Tower, which has been found amply sufficient during the forty-five years the Palace of Westminster has now been built.



Any number of prisoners above two would be lodged in less comfortable quarters in Newgate.

Access to, or egress from, these rooms, can only be obtained through the residence of the Serjeant-at-Arms, who is responsible for the custody and well-being of a Parliamentary prisoner. The apartments are by no means cheerless or comfortless. The windows command a view of the Thames and Westminster Bridge on one side, and of Palace Yard on the other, and though imprisonment under any conditions is an undesirable position, it must be said that in the Clock Tower it is deprived of most of its terrors. The prisoner may rise when he pleases. His meals are supplied from the catering department of the House of Commons, and he can have what he likes, but he must defray the expense. After breakfast he is permitted to take an hour's recreation on the terrace of the House of Commons, accompanied by his gaoler and a police officer in plain clothes, and, if he chooses, he may repeat the exercise for the same length of time before dinner. And should his term of imprisonment extend over a Sunday, he may attend service in St. John's Church—the edifice, close to the Palace of Westminster, whose four stunted turrets look at a distance like dining-tables turned upside down—to which he is accompanied by his guards.

The last occupant of the prison was the late Mr. Bradlaugh, M.P., whose confinement there for twenty-four hours in 1880 was an episode in his exciting and long-drawn-out contest with the House of Commons on the Oaths question before he was allowed to take his seat as member for Northampton, to which he was first elected in the General Election of 1880.

The practice of the House of Commons in recent

times was to commit a person it has pronounced guilty of a violation of its privileges, to the custody of the Serjeant-at-Arms, to be detained during its pleasure. The imprisonment generally continued until the prisoner expressed contrition for his offence, or the House resolved that he be discharged.

Similar contumacy on the part of a member of Parliament nowadays would hardly be visited by imprisonment. Expressions which are considered "unparliamentary," and therefore out of order, are allusions to debates in the House of Lords, or "in another place," as the Upper Chamber is usually referred to in the Commons; treasonable or seditious words; the use of the Queen's name insultingly, or with a view to influence debate; offensive or insulting words against the character and proceedings of Parliament; offensive personal allusions to members of Parliament; reference to matters pending judicial decision in the courts of law; and reflections on judges, or on other persons in high authority. The House always insists on offensive words being withdrawn, and on an ample apology being made by the offending member.

If a member's conduct is grossly disorderly, or if he refuses to apologise for an unparliamentary expression, the Speaker or Chairman orders him to quit at once the precincts of the House for the remainder of the sitting, and if he refuses to leave, he is removed by the Serjeant-at-Arms and his messengers. If suspension for the remainder of the sitting be deemed by the Speaker or the Chairman an inadequate punishment for the breach of order, the offending member may be named. Formerly the process of naming a member was a vague terror, the consequences of which nobody knew, and, of

course, all the more awe-inspiring on that account. There is a story told that a Speaker who was once asked what would happen if a member were named, replied solemnly: "The Lord in heaven only knows." But we all know now; for several members have been named within the past fifteen years. The Speaker or the Chairman simply says: "I name you, James Thomas Millwright," or whatever the cognomen of the offending member may be. The motion of suspension which follows the naming of a member is moved by the Leader of the House, or, in his absence, by some other leading member of the Government. It is simply and briefly worded. It runs: "I beg to move that James Thomas Millwright, member for Peddlington, be suspended from the service of the House." It is at once put to the House or Committee, no amendment or debate, or even an explanation by the offending member being allowed. If the incident happens in Committee, and the motion is carried, the proceedings of the Committee are suspended, the Speaker is sent for forthwith, and the House resumes. The Speaker then puts the same question without amendment or debate, and if again carried, the member thus suspended must withdraw forthwith from "the precincts of the House," a term officially interpreted as "the area within the walls of the Palace of Westminster." It will be noticed that the period of suspension is not mentioned in the motion. But the Standing Order provides that for the first offence it is to be one week, for the second a fortnight, and for each further offence one month. Suspension, whether it be for a week, a fortnight, or a month, involves the forfeiture of the right of entry to the lobby, the smoking and dining rooms, and, indeed, to any portion of the Palace,

unless the offender is serving on a Private Bill Committee. Practically, the offender has ceased for the time being to be a member of Parliament.

The House has also the power to expel members. This punishment is only meted out to members guilty of gross criminal offences, and does not disqualify for re-election if an expelled member can get a constituency to return him. But to "name" a member is the highest coercive authority invested in the Speaker or Chairman, for dealing with disorderly conduct within the House. It would be a very grave breach of the privileges of the House, or very indecorous conduct within its walls, that would in our times bring a member of Parliament to the Clock Tower. A solemn and severe reprimand administered by the Speaker, while the offending member stood in his place in a House thronged by his colleagues, would probably be deemed sufficient, except in an exceptionally bad instance of disorderly behaviour. Thus has the office of the Serjeant-at-Arms been practically deprived of what must have been at all times an unpleasant and irksome responsibility.

## CHAPTER XII

## THE COMMONS AT WORK

“HATS off! Way for the Speaker!” With these words of command the opening of every sitting of the House of Commons is heralded. They strike the notes of the supremacy of the Speaker and the reverence paid to his exalted position, which are so noticeable during a sitting of the House of Commons. The command is uttered in the lobby, or antechamber of the House, by the inspector of the police on duty in and about the Palace of Westminster, just as the Speaker emerges from the corridor leading from his residencee.

This appearance of the Speaker is not without an element of stately picturesqueness. First comes an usher; then the Serjeant-at-Arms with the mace on his shoulder, followed by a couple of door-keepers dressed like the usher, in low-cut waistcoats, short jackets, knee-breeches, and silk stockings; then the Speaker, in his huge court wig and his long gown, which is held up by a train-bearer, followed by the Chaplain in a Geneva gown; and lastly, two more door-keepers, attired, like all the figures in the profession, in sober suits of solemn black. As the procession slowly treads its way across the bright tessellated pavement of the lobby, while the members stand by with heads reverently uncovered, its sombre hue is emphasised by the ornate frame in which

it is set—the richly moulded grey walls, the wonderful oak carving, the stained-glass windows; the fretted roof, with its multi-coloured grooves and its dependent electric-light chandeliers in heavy brass; all of which help to make this famous vestibule of the House one of the most beautiful architectural features of the Palace of Westminster. The procession disappears through the open portals of the House, the members in the lobby crowd in after it, the doors are then locked, and the voice of the principal door-keeper crying “Speaker at prayers” is heard resounding through the lobby.

Only the occupants of the ladies’ gallery have the privilege of seeing members at prayers. All other “strangers” are rigidly excluded from the Chamber. The ladies are probably permitted to look on at the ceremony because, cooped up as they are, most ungallantly, behind a thick heavy brass network known as “the grille,” their presence can hardly be regarded as an intrusion that is felt at this solemn part of the proceedings.

When the doors are closed behind the procession, the Speaker walks up the floor of the House, bowing low to the empty Chair which he is about to occupy, and accompanied only by the Serjeant-at-Arms and the Chaplain. The train-bearer and the door-keepers stop at the Bar. The Speaker does not take the Chair at once, but stands at the head of the table with the Chaplain by his side. Then, in the silent Chamber, three brief prayers are impressively recited by the Chaplain, while the responses are given in a solemn voice by the Speaker. One prayer is for the Queen, another for the Royal Family, and the third, which is for the Parliament, is as follows:

Almighty God, we thine unworthy servants, here gathered together in Thy Name, do most humbly beseech Thee to grant, that we having Thy fear always before our eyes, and laying aside all private interests, prejudices, and partial affections, the result of all our counsels may be to the glory of Thy blessed Name, the maintenance of true religion and justice, the safety, honour, and happiness of the Queen, the public wealth, peace, and tranquility of the realm, and the uniting and knitting together of the hearts of all persons and estates within the same, in true Christian love and charity, one towards another, through Jesus Christ our Lord and Saviour. Amen.

The members stand in their places on the benches, fronting each other, with the floor between, until, after the prayers, one of the Collects is recited, when they all turn round and face the wall. Service over, the Speaker enters the Chair, and the Chaplain retreats backwards, bowing to the Speaker at every few steps of his retrograde movement, and not unfrequently colliding with members who throng the floor, until he reaches the refuge of the Bar, when, making his final bow to the Chair, he disappears through the now open swing-doors of the Chamber. At the same moment a subdued noise of rushing feet is heard in the galleries. "Strangers" are now being admitted to the House. The representatives of the Press enter over the Speaker's Chair, and the general public come in at the other end over the portal of the Chamber.

A first visit to the House of Commons is usually attended by a feeling of disappointment. The limited size and unpretentious character of the Chamber strike the visitor with surprise. It is hardly credible to him that in this simple, modest Chamber the destinies of a

mighty Empire are controlled; that this has been the scene of many exciting and momentous battles between political parties since 1852; and that these walls have really echoed with the potent voices of great Parliamentarians of the present reign—Lord John Russell, Palmerston, Cobden, Disraeli, Bright, Parnell, Churchill, and Gladstone. A Chamber of great spaciousness and more magnificence was designed for the Commons by the architect of the Palace, Sir Charles Barry, in 1837, but the five Commissioners to whom the plans were submitted decided in favour of a much smaller room, in which debate could be carried on without any undue strain on the voice. The Chamber, which was first occupied in 1852, accommodates with seats only 360, or little more than half the members of the House, while about 100 more can find standing room at the Bar and in the passages. Instances of the accommodation afforded by the Chamber being taxed to its utmost limits are, however, exceedingly rare. The two most remarkable occasions in recent years were the introduction by Mr. Gladstone of his Home Rule Bills in 1886 and in 1893, when about sixty additional seats were provided by temporary chairs placed in rows on the floor. For ordinary purposes the Chamber is large enough. Indeed, the actual attendance of members within the walls of the Chamber is rarely in excess of the sitting accommodation.

But if the visitor in the galleries, who has probably come a long way to get a look at the great House of Commons at work, is at first disappointed with the plain and severe architectural features of the Chamber, the feeling does not last long. He looks around and sees many objects and personages which the news-



papers have made familiar to him by name, and he falls at once under the influence of the stirring memories and great associations of the place. He regards with awe the high canopied Chair, surmounted by the Arms of the Kingdom, at the head of the Chamber, and looks with becoming reverence on Mr. Speaker in his big grey wig and black gown. Beneath the Speaker, at the head of the table, sit the Clerk of the House and the two assistant-clerks, in short wigs and gowns, like barristers in the courts of law (they always receive new wigs when a new Speaker comes into office), busy discharging their multifarious duties, such as sub-editing the "Orders of the Day," questions to Ministers, amendments to Bills, notices of motions handed in by members, and taking minutes of the proceedings for the Journals of the House. The table is indeed a "substantial piece of furniture," as Mr. Disraeli described it on a famous occasion when he expressed his delight that it lay between him and Mr. Gladstone, who had just made a fierce declamatory attack upon him. It contains volumes of the Standing Orders and Sessional Orders, and other works of reference in regard to the procedure of the House, and also pens, ink, and stationery for the use of members.

At the end of the table, on either side, are two brass-bound oaken boxes. These are the famous "despatch-boxes" on which Ministers and ex-Ministers lay their notes when addressing the House, and, following the great example of Mr. Gladstone, thump to give emphasis to an argument. Both boxes contain marks and indentations caused by the big signet ring that Mr. Gladstone wore on one of the fingers of his right hand, when at times in power on the Treasury Bench

and at times in Opposition on the Front Bench at the other side of the table, he brought his clenched fist, while speaking, with tremendous force on the one box or the other.

But of all the objects in the House which awaken historic associations, the mace, perhaps, is the most potent. It lies a prominent object, when the Speaker is in the Chair, on raised supports at the end of the table. It is of wrought brass, its large globular head is surmounted by a cross and ball, its staff has several artistic embellishments, and the whole is so well burnished that it glistens like gold. There have been three maces in the House of Commons. The old original mace disappeared when Charles I. met his death on the scaffold in 1649, and its fate has never since been traced. Cromwell ordered another mace to be made, which was used during part of the ten years the Commonwealth lasted, and this, curiously enough, was the mace which the great Protector slightly referred to as "that bauble" as he ordered it to be removed from the table of the House on that historic occasion, in April, 1653, when he summarily dismissed "the Rump" of the Long Parliament. That mace also disappeared. It was said some years ago that the mace in use in the Legislative Council of Jamaica, which sits at Kingston, was Cromwell's "bauble," but Mr. Speaker Peel had a correspondence on the subject with the authorities of the colony, and came to the conclusion that the historic claim of their mace was spurious. The third mace, which is now in use, bears neither date, inscription, nor maker's name, but the initials "C. R." It was placed in the House on the restoration of Charles II. in 1660.

From the carved oak-panelled walls of the Chamber

on either side of the table slope down five rows of benches, upholstered in dark green morocco leather. Those on the Speaker's right are the Government benches—the benches of the “ins” or the party in office; those on the Speaker's left are the benches of the “outs” or the party in the cold shades of Opposition. Between the two sides is a broad floor covered with a rough fibre matting. The rows of benches at each side are divided in the centre by a narrow passage with steps that run up from the floor to the wall. This passage on either side is called “the gangway,” and has its own special political signification. Members who sit above the gangway—that is, nearer to the Speaker's Chair and the table—either on the Government side or on the Opposition side, are regarded as the out-and-out or orthodox supporters of the recognised leaders of their party; while those who sit below the gangway are supposed to be somewhat independent of the occupants of the front bench on their side of the House. The Irish Nationalist members have since the rise of Mr. Parnell in 1878 sat below the gangway on the Speaker's left in permanent Opposition, no matter what party may be in office; but the respective followers of the two great political parties, the Conservatives or Unionists, and the Liberals, cross the floor according as their party is “in” or “out.”

Lower down the Chamber, on the Opposition side and close to the swing-doors which form the main entrance, is the large chair of the Serjeant-at-Arms. Beside it is the Bar, the line of which, marking the technical boundary of the House, is raised about half an inch above the level of the floor. Over the portals of the Chamber, and directly facing the Speaker, is the clock.

At either side of this door are three benches, one of which on each side—the nearest to the oak-panelled wall and cut off from the others by a high iron railing—is reserved for visitors. These seats are commonly referred to as “under the clock.” Over the clock are the strangers’ galleries. The first on the left facing the Speaker is reserved for peers. The Prince of Wales and the Duke of York sit there on their occasional visits to the House of Commons. The corresponding gallery to the right is reserved for “distinguished strangers,” such as ambassadors and members of the various diplomatic and consular services. Each of these galleries has only two benches and accommodates not more than two dozen persons. Behind these exalted quarters and cut off from them by a high barrier is the gallery of the general male public. It holds about 120 persons, but half the visitors on the back seats can see only the top of the Chamber, with the Speaker, the table, and the two front benches. Admission to all the strangers’ galleries—save of course the peers’ and the front seat of the distinguished strangers’, which is reserved for ambassadors—is obtained by ticket from the Serjeant-at-Arms through a member of Parliament. Running along on either side of the Chamber are two other galleries, each with a double tier of seats, for the use of members. The Speaker may be addressed by a member from these galleries, and occasionally a question has been asked, but a speech has never been delivered from them. The Press gallery is over the Speaker’s Chair, and over that again may be seen, set into the ornamental stone screen at the end of the Chamber, the brass trellis which fronts the ladies’ gallery.

But the Chamber does not depend alone on its his-

toric associations to arouse the interest of the visitor. If it appears at first sight to be but plainly decorated, a closer examination will show that it possesses a certain air of stately solidity. The oak wainscot with which its walls are lined from floor to ceiling and the Gothic woodwork of the surrounding galleries are of the most delicate carving. The prevailing colour of the Chamber is undoubtedly rather sombre—the colour of its lining of rich oak. The monotony of the hue is, however, relieved to a slight extent by the panels emblazoned with the coats of arms and distinguishing badges of the Sovereigns from William the Conqueror to Victoria, arranged along the front of the surrounding galleries, and the stained glass of the row of windows at each side by which the Chamber is lighted during the day. But it is at night when the lights are blazing and the Chamber is full of warmth and glow and animation that the House of Commons looks its best. Even the most unobservant visitor to the House cannot fail to notice and admire the ingenious manner in which it is illuminated. The original lofty oaken roof, on which many cunning carvers had expended rare artistic skill, having been found to impair the acoustic properties of the Chamber, a novel ceiling was designed to act as a sounding-board and also to light the House. It fulfils both purposes splendidly. The ceiling is of glass of a light yellow tint—the hue of the primrose—with delicate floral decorations, and is divided by richly carved oaken ribs into as many as forty-eight panels. A large number of gas lights are arranged on the outer side of the ceiling, and when they are turned on a flood of light, most pleasant to the eyes, comes through the glass panels and fills the Chamber with its soft mellow radiance.

The House is also ventilated and warmed by a very costly and elaborate system. The floor under the fibre matting is formed of perforated iron plates. Beneath the floor is a large chamber into which the air is pumped from the sheltered quadrangles of the Palace, passing on its way through muslin and sprays of water, and in time of fog through layers of cotton wool, to clear it of dust and other impurities; and then, after being heated in the winter or cooled in the summer, it is introduced into the House through the floor, and drawn out again through several ornamental ventilators which depend from the glass roof.

So much for the surface of things. We will now see the Commons at work. The first half-hour after the Speaker takes the Chair is usually dull. Private Bills—or Bills introduced on behalf of the promoters of certain commercial or municipal undertakings—are then considered. But the proceedings are generally formal, and devoid of interest. Petitions are also presented to the House at this stage of the sitting. A member is bound to present any petition forwarded by constituents—even though he may be opposed to its prayer—unless it contains something objectionable. The presentation, however, need not be done publicly. The document may be quietly deposited in one of the big black bags which are hung for the purpose on either side of the table, and no one in the House need be made a bit the wiser. Frequently a member rises in his place, and announcing that he has a petition to present, reads a brief summary of the prayer or request of the petitioners. The Speaker then asks, “Will the honourable gentleman bring it up?” and the honourable gentleman walks up to the table and drops the petition out of

sight and out of mind into the yawning mouth of the big black bag. Sometimes a gigantic petition with millions of signatures, rolled round a cylinder until it assumes the proportion of the wheel of a steam-roller is trundled into the House before the sitting, and deposited on the middle of the floor until it is duly presented at the appointed time. Such petitions are invariably forthcoming when a Bill affecting "the Trade"—or the public-house interest—is introduced by the Government. What a waste of energy is there in these mammoth rolls! Their appearance is greeted with laughter or smiles by members. After they have been formally presented they are quickly removed out of sight by the attendants, and, leaving no impression on the mind of the Legislature beyond a ripple of merriment, they will be heard of no more—though their presentation is always recorded on the Journals of the House—unless the Committee on Public Petitions, before whom in due course they will come for scrutiny, find that some of the regulations have not been carried out—that, for instance, portion of the petitions, instead of being in writing, is printed, or lithographed, or typewritten, or that some of the signatures are in the same handwriting, or denote personages whose existence is manifestly fictitious, when the fact is solemnly announced by the Chairman of the Committee, and the whole House for a minute or two looks indignant at the affront offered to its dignity. The petition is a fine old crusted institution, but it has no merit beyond its venerable age.

The Chamber has now rapidly filled up for "question time," which is usually remarkable—if for nothing else—for the number and variety of subjects about

which members interrogate Ministers. Two or three days' notice at least must be given of a question. One of the Clerks at the Table receives the questions in writing; and they are printed, with the dates on which they will be asked, on the notice paper, containing announcements of coming events, which is circulated every morning among the members. Copies of these papers are also sent to the different State Departments. In each Department the questions addressed to the Minister at its head are cut out, and the answers prepared by the permanent officials of the Department, without the Minister being troubled with them in any way, except, perhaps, occasionally when the matter inquired about is of such importance that the officials think it well to obtain the opinion of their chief in regard to it.

Every day's questions are then printed in the "Orders of the Day," or the daily agenda of the proceedings of the House. The answers are brought to the House before the sitting opens by messengers from each office, in a despatch-box, one key of which is kept at the Department and the other by the Minister in charge; and as question time approaches Ministers may be noticed slipping into the Chamber, with their little boxes, by the door immediately behind the Speaker's Chair, which gives access to the corridors containing their private rooms.

Formerly every question was read out by the member in whose name it stood in the paper. A much simpler and more expeditious system now prevails. The questions as they appear on the "Orders of the Day" are numbered, and the members responsible for them rise in their places when called on in succession by the



Speaker and simply say, as the case may be, "I beg to ask the Secretary of State for the Home Department question No. 1;" or, "I beg to ask the Chief Secretary for Ireland question No. 44." The Home Secretary looks up question No. 1, or the Chief Secretary for Ireland question No. 44, from the bundle of answers supplied him by the officials of his Department, and reads it in reply. And so on, until the list of questions is completed. The questions and replies are eagerly followed, evoking cheers and counter cheers. Oftentimes, indeed, the reply to a question which gives dissatisfaction—if it be further aggravated by the sarcastic or flippant manner of the Minister—will precipitate the House into one of the wildest, stormiest, and most passionate scenes that have ever disturbed its decorum.

There has been a most remarkable increase in the number of questions within recent years. In the Session of 1857 451 questions were asked. By 1877 they had increased to 1343, and now as many as 2000 on an average appear upon the notice paper each Session. On some days during recent Sessions no fewer than 90 questions have been placed upon the notice paper, while the average number may safely be stated as between 50 and 60 per day. These numbers are multiplied very considerably by the practice of putting supplementary questions in order to try to extend the information vouchsafed in the official replies. Most of the questions are undoubtedly of great general importance, but others of them are of merely local interest—such as those dealing with the defective postal service in a little village up in the Highlands of Scotland, or the conduct of Constable Muldoon in some district in the far West of Ireland; and, as each

occupies two minutes on an average, the suggestion has often been made that questions of a trivial, local or personal character should be communicated direct to the Departments concerned, so as to economise the time of the House. But members generally regard with great jealousy this privilege of catechising Ministers publicly in the House on any and every subject they please, and consequently receive with disfavour all suggestions that make for its curtailment.

Questions disposed of, we come as a rule to the real legislative business of the sitting. A motion for the adjournment of the House occasionally intervenes. The object of such a motion is to obtain from the Government immediate and adequate explanation of some act of commission or omission on their part; of something which, in the opinion of the Opposition or other section of the House, they have wrongly done or left undone. The matter complained of must be—as the Standing Order says—of “urgent public importance” in the opinion of the Speaker, and must also have the concurrence of at least forty members. Therefore, when a member rises after questions and asks leave to move the adjournment of the House, stating at the same time the object of the motion, the Speaker asks whether the hon. gentleman is supported by forty members. Immediately the associates of the hon. gentleman rise in their places, and if they muster forty the debate proceeds. The Speaker rarely rules the motion out of order on the ground that it is not a matter of “urgent public importance.” He is content to accept on that point the opinion of forty members. The carrying of such a motion is an occurrence just as rare. Of the few instances on record the last happened in 1889,

when a motion censuring the police authorities for the arrest of a Miss Cass in Regent Street on a charge of disorderly conduct was unexpectedly carried against Mr. Home Secretary Matthews. The House immediately adjourned. The cry of "Who goes home?" was heard at seven in the evening instead of at one in the morning.

Every obstacle to proceeding with legislative business being now removed, the Speaker rises and says, "The Clerk will now proceed to read the Orders of the Day," and the Clerk, with a copy of the "Orders of the Day" in his hand, reads the first of the long list of Bills down for consideration. A big debate probably follows. Mr. Disraeli once said, "The House of Commons is a dull place, but there are moments of emotion." Yes, there are moments of emotion in the House of Commons which make the life of a member of Parliament well worth living. To the stranger the House of Commons is always an interesting place, and always well worth a visit. But it is most interesting on the occasion of a big debate on some important question, which arouses political passions and prejudices, and brings down into the arena of the floor of the House the chiefs of the parties to fight out the issue with the keen and subtle weapon of the tongue.

A big debate often lasts a fortnight—that is to say, it is carried on during the Mondays, Tuesdays, Thursdays, and Fridays of two weeks, the Wednesdays being usually devoted to the consideration of Bills introduced by unofficial members. The order in which the leading members of the Government and of the Opposition speak is previously arranged by the Whips of the different parties; and the Speaker, being informed

privately of the understanding, calls on these members in the order appointed, no matter how many small men may, at the same time, strive to catch his eye. A member of the Opposition always follows in debate a member of the Government. The opening of a sitting and towards its close, or before and after the "dinner hour"—that is, from five till seven o'clock, and from ten o'clock till twelve—are considered the best and most favourable times for speaking. It is during these periods of the sitting that the "big guns" on each side are brought into action. Under the rules of the House, all opposed business must cease at twelve o'clock, and the member who at that hour moves the adjournment of the debate has the right to open it the next evening. If a member of the Government speaks last at night, the adjournment of the debate is moved by an opponent of the Government; and *vice versa*, if a member of the Opposition concludes his speech at midnight, a supporter of the Administration secures the advantage of resuming the debate on the following evening.

This privilege of moving the adjournment is always reserved to men of distinction. Sometimes there are many eager claimants for the privilege. There is often a good deal of parleying and wrangling about it, and it is no easy task for the Whips to arrive at a decision in the matter without wounding the pride and vanity of some of the members whose claims have been set aside. There are several reasons which explain this eagerness to secure the adjournment of the debate. A crowded House has a most exhilarating influence on a speaker, and there is sure to be a large attendance of members at the opening of the sitting. When the distinguished member who has been called upon to resume the debate

has finished his speech, some man of mark in the party on the opposite side of the House rises to answer him, in accordance with the programme arranged by the Whips. These two speeches will probably last till seven o'clock.

From seven till ten o'clock is known as the "dinner-hour"; and it is only during this period of a sitting, when a great debate is in progress, that small or undistinguished men can have the pleasure of addressing the House. Before seven or after ten, the member who can only "twinkle a taper" has no chance; the member who can "flare a flambeau" then holds the field. Consequently, during the dinner-hour, when the vast bulk of the members are in the dining-room or smoking-room of the House, or are dining outside, or are at the theatre, the small men, or the new men, who desire to speak, have the Chamber all to themselves. There are hardly ever more than twenty members present—sometimes the attendance falls as low as a dozen or half-a-dozen—and these remain, not because they are interested in the speeches which are then being made, but simply and solely because each of them is anxious to lay his views on the subject of debate before his own constituents, through the medium of the reporter of the local paper who is above in the Press Gallery.

Feeble statement, pointless argument, irritating repetition, are usually the characteristics of a debate during the dinner-hour. It is then that the House of Commons is a dreary place indeed. It is then that the bore is in his element. He comes down to the House fearfully equipped with material for his speech. Papers, documents, and notes surround him while he is speaking—some being in his hands, some in his hat, and others spread over the empty bench behind him. The lot of

Mr. Speaker during these dull hours is by no means a happy one. Members can come and go as they please. If they remain in the Chamber, they need pay no attention to the honourable gentleman on his feet; they can chat and joke with each other or double themselves up comfortably on the benches and go roving in the land of Nod. But save for half an hour between eight and nine o'clock, when the proceedings are suspended, Mr. Speaker must remain in the Chair and follow, or seem to follow, all the speeches, however flat and discursive, with the deepest and most absorbing interest.

But perhaps that air of concentrated attention the Speaker habitually wears is simulated. Perhaps practice has made it possible for him to hear without heeding. Perhaps while he smiles appreciatively at the broken-winded witticisms of the hon. member who is speaking, he is deaf to every word, and his thoughts are far away, and the murmur of woods or the soothing lapping of water on the sands is in his ears. It is quite possible, indeed. We have heard more than once of the happy judge who could fall asleep during the speeches of counsel, and wake up when the sweet, slumberous tones of the gentlemen learned in the law had ended.

The Speaker's lot would indeed be intolerable if he were unable, during some of the dreary addresses of hon. and learned and gallant members, to ramble in spirit, but he cannot put an extinguisher on a tiresome member. All he can do is to call a member to order for irrelevance or repetition, and on the third unheeding warning, to direct him to resume his seat. The House, however, shows its resentment by discon-

certing cries and exclamations. A member who was once subjected to considerable interruption while addressing the House, appealed to the Speaker, Sir Spencer Compton, to put down the disturbance, saying that he had a right to be heard. "No, sir," replied the Speaker, "you have a right to speak, but the House have a right to judge whether they will hear you."

No Speaker would venture in our days to make such a ruling, but at the time it was delivered the duty of the Speaker was not so much to preserve order and decorum in the Legislative Chamber, as to "speak" the opinion or decision of the House in matters of great State concern. But even in our days members enjoy considerable licence in expressing their dissent from the views that are being laid before them, or their desire to bring an irritating speech to a speedy conclusion, by interrupting cries of "'Vide, 'vide, 'vide!" without having to fear any reprimand from the Chair. Cries of dissent were not so decorous as late as fifteen or twenty years ago. It was then the custom of hon. gentlemen to endeavour to suppress sentiments obnoxious to them by barking like dogs, crowing like barndoor fowls, bleating like sheep, braying like donkeys, and by indulging in coughing, sneezing, and ingeniously extended yawning.

These interruptions are to some men only an incentive to extend the scope of their unappreciated remarks. "If you don't allow me to finish my speech in my own way I'll not leave off at all," said a member who was regarded as a bore. The threat had the desired effect. "I am speaking to posterity," said another member grandiloquently, in reply to his interruptors. "Faith, if you go on at this rate," remarked a voice from the Irish quarter, "you will see your audience before you."

“Sir,” said the member on his legs—but, unhappily not his last legs—“I can afford to wait.”

It is a rather curious circumstance that it was not until 1882 that the House, or rather the party in office, possessed the power to terminate a debate which, in its opinion, was being deliberately prolonged for the purpose of causing embarrassment. The explanation, no doubt, is that obstruction, as a potent weapon of Parliamentary tactics, was the invention of Mr. Parnell in the late 'seventies, and that the use to which it was put by the Nationalists in the early 'eighties clearly demonstrated that if it were not shattered, party legislation might well become impossible.

Mr. Gladstone's *clôture* resolution was accordingly carried on November 11, 1882, in an Autumn Session held specially for the purpose of considering it. It gave power to the Speaker or the Chairman of Committees, when it appeared to him that “the evident sense of the House” was in favour of an immediate division, to so inform the House, or Committee, and, on a motion being made, to put the question under discussion forthwith. Mr. Brand was Speaker. At nine o'clock on the morning of Wednesday, February 1, 1881, he had terminated a sitting which lasted forty-two hours, or from the preceding Monday at four o'clock, debating the introduction of Mr. Forster's Bill for the Better Protection of Person and Property in Ireland, by refusing to call upon any more of the Nationalist members to speak and thereupon peremptorily putting the question. This was admittedly an arbitrary and coercive proceeding. There was no rule, written or unwritten, to justify it. It was unwarranted by practice or precedent, but that it was in accordance with “the evident sense of



the House" was indisputable. Mr. Brand, however, never applied the *clôture* rule (or the "closure" as it is now commonly called) which was based on his high-handed action in the preceding year. It was employed for the first time on February 28, 1885, close on two-and-a-half years after it had become a standing order, by Mr. Speaker Peel, against the Nationalist members. In the division on the question "that the question be now put" which always follows the application of the closure, the ayes on this particular occasion were 207 and the noes 46. Now the rule provides that the closure must be supported by more than 200 members if the minority is over 40, or by 100 members if the minority is under 40. A reduction of the majority by seven votes would therefore have rendered ineffectual this invocation of the closure by the Speaker. Mr. Peel consequently had a very narrow escape from a serious rebuff, which would probably have been followed by his resignation. It was unlikely that the Speaker would again run this risk. In any event the application of the closure on the initiative of the Speaker tended to establish embittered relations between members and the Chair; and it was a wise move on the part of the Conservative Administration in 1887 to relieve the Speaker of this onerous and unpleasant responsibility, by giving power to any member—private or official—to move the closure at any time, leaving, however, to the Speaker the discretion of putting, or refusing to put, the motion from the Chair, as he thought fit.

It must not be supposed from some of my preceding remarks that the House of Commons is tolerant only of the participation in its debates of men of eloquent tongues—men of great ability and knowledge, men

with a pleasant knack of saying funny things or with the dangerous gift of saying caustic things—members, in a word, who are interesting or entertaining. The House nowadays accords for a time to the crank, the faddist, and the bore—especially if these tiresome individuals show evidence of earnestness, sincerity, and honesty—the kindest and most indulgent of receptions. It denies its ear to no man. It will listen with pleasure to any man who has anything to say ; it will listen with resignation to the windbag—the man who takes a long time to say what he has to say, or even to a man who has nothing to say—the man who has

*The gift of lungs  
Without, alas, the gift of tongues.*

But while allowing to every man, no matter how dull his manner or objectionable his views, sufficient latitude to give at an opportune time ample testimony of the faith that is in him, the House cannot stand the irrepressible bore who, determined to speak on every subject, rises, as a rule, at the most inopportune moment of the debate to give expression to his vague and ill-formed views at unconscionable length ; or the member, however able, who in his effort to instruct it adopts the irritating tone of the pedagogue or the superior person. These members are not popular, even with their own party. But while a party cannot very well join with the enemy across the floor in showing their contempt and exasperation by shouting down some objectionable member of their own ranks, they heartily sympathise in secret with these demonstrations of disapproval.

The House is kindest and most considerate to the member who rises for the first time to address it, or to

make, as the phrase has it, his "maiden speech." He always gets precedence in a competition to "catch the Speaker's eye." It is well, however, that such a member should display a certain amount of nervousness or deference, inspired by a modest appreciation of his own capabilities or by a becoming awe of the assembly listening to his words. If, relying perhaps on a reputation made outside the House in politics or literature, he should adopt a tone of superiority, or an attitude of perfect ease and self-confidence, he is certain to arouse the antipathy of members opposite, and chill even the greetings of the political friends who sit around him.

Mr. Joseph Chamberlain has told a very good story illustrative of this peculiar mood of the House of Commons, which perhaps some would ascribe to its morbid self-esteem, and its exalted sense of its own importance. When he was first elected, an old friend of his, who was also an old member of the House of Commons, came to him and said, "Would you mind, as I am an older member, my giving you a bit of advice?" "I would be very glad to have it," replied Mr. Chamberlain. "Well," continued the old man, "you know you have come into the House of Commons rather late, and you have come in with some sort of reputation from outside. The House of Commons," he went on, "does not like outside reputation; it is accustomed to make and unmake its own; and as you are going very shortly to make your maiden speech, if you could contrive to break down a little, I think the House of Commons would take it as a compliment, and you would be all the better for it!"

There have been a few funny failures to "bring off" maiden speeches. Many a member has been so stricken

with Parliamentary fright, on rising to address the House for the first time, that his awkward effort to get through a speech he had previously conned hundreds of times probably, and the manuscript of which he held in his trembling hand, was a spectacle painful to look at, despite its occasional ludicrousness. But the most extraordinary breakdown that ever occurred in the House happened some years ago in connection with the motion for an Address to the Queen in reply to the Speech from the Throne. The motion was to be seconded by a young country member in a maiden speech. He came attired, as is customary on the occasion, in the gorgeous uniform of a captain of mounted Yeomanry. He stood up in his place immediately that the mover of the motion concluded, and, grasping the hilt of his sword with his left hand, he indulged in some graceful gestures with his right; but though his lips were seen to move, not a sound could be heard by the House. For close on five minutes the honourable and gallant gentleman continued this dumb show and then sat down. It was indeed a singular manifestation of Parliamentary fright. The most remarkable feature of the incident was that the honourable and gallant gentleman did not himself miss the sound of his vocal organ. All through the incident he seemed to be under the impression that the House was listening with wrapt attention to his eloquent periods set to the exquisite music of his voice.

The varying aspects of the House of Commons during a big debate are surprising. Members are continually entering the Chamber or leaving it by the portals under the clock. Immediately outside these portals is the lobby, that neutral ground of the House

of Commons where men who scowl at each other—metaphorically at least—across the floor of the House during a hot party debate meet subsequently to soothe each other's ruffled feelings by retailing racy stories. But it is now ten o'clock, and the House is rapidly filling up again in every part. Many of the members who crowd the benches are in evening dress. They have been dining out or attending some other social function, or have been at a theatre and have hurried away to the House in order to hear the two concluding speeches of the debate. It has been arranged that some leading member of the Opposition will speak shortly after ten o'clock, and that he will be followed on behalf of the Government by a distinguished occupant of the Treasury Bench. After that, probably about twelve o'clock, the division will be taken.

Accordingly, about ten o'clock, a small man—small, that is, in reputation, and not physically—who has been so fortunate as to secure the last chance of the unimportant men during the "dinner hour," brings his speech to a conclusion and sits down. Then follow the two speeches which every one in the House is so anxious to hear—the last attack by the leader of the Opposition and the defence by the champion of the Government. The House is moved by great excitement during the delivery of these speeches. There are cheers and shouts of defiance; and statements and denials, charges and recriminations are hurled across the floor of the House. It is on such an occasion that the advantages of a diminutive Chamber are seen and appreciated. The gas lights stream down through the glass panels of the ceiling on a House that is now crowded to its utmost capacity. Every member present may not be

comfortably seated, but in a small Chamber like this all can command a complete view of the situation and hear the speeches distinctly. This tends to keep the debate at a high level. The audience are not compelled to give a strained attention to the orator. They are therefore more susceptible to the music of his periods, and their cries and acclamations reacting on him, inspire him to higher flights of eloquence.

There is also a great rhetorical advantage, or aid to invective, in having the rival political parties on different sides of the Chamber, separated by a broad floor. With the enemy straight before him, the orator can point the finger of scorn at them with tremendous effect. This was a favourite gesture of Mr. Gladstone during his passionate and emotional speeches. Flinging himself almost half-way across the table, and shooting out his right arm, he would point the extended forefinger at the occupants of the front bench opposite, his face ablaze with righteous indignation and infinite disdain in his voice; while they, instead of being transfixed in mental agony, beamed with delight that they should be the objects of the great orator's fiery rhetorical wrath.

But the last word has now been said. The great debate has closed, and now comes the division, which is often—especially when the result is uncertain—the most exciting and most dramatic episode of the debate. Let us suppose that the debate is on the motion for the second reading of some big Government measure, like the Home Rule Bill or the Bill for the Disestablishment of the Welsh Church. Mr. Speaker rises in his Chair and puts the question, “The question is that this Bill be now read a second time. As many as are of that opinion will say ‘Aye.’” A deafening shout of “Aye”

arises from the Government benches. "The contrary, 'No,'" continues Mr. Speaker, and a thunderous volley of "Noes" comes in response from the Opposition side of the House. "I think the 'Ayes' have it," says Mr. Speaker. The Speaker always decides in favour of the side supported by the Government, unless the motion be of a non-party character, when he decides according to the volume of sound from the "Ayes" and the "Noes." But in most cases the decision of the Speaker is not accepted. The Opposition again roar out, "The 'Noes' have it," and thus the division is challenged.

The Speaker then gives the order, "Strangers will withdraw," and at the same moment the electric bells, which are set up in profusion all over the precincts of the Palace of Westminster—in every corridor and in every room—ring out a summons to members to hurry to the Chamber, as the division is about to be taken. The policemen who are on duty in the lobbies and corridors also shout "Division!" with all the strength of their lungs, and so, amid the tingling and the jingling of the electric bells, cries of "Division" answer other cries of "Division" in every part of the Palace.

This ringing and shouting continue for two minutes—marked by a sand-glass in front of one of the clerks at the table—which is the time it is supposed a member would take to get to the Chamber from the most distant point of the members' quarters. Into the House the members come rushing breathlessly from dining-rooms, library, and smoking-rooms, while the sands in the glass are running their course. At length the Speaker makes a sign to the Serjeant-at-Arms, and the doors of the Chamber are locked. They cannot be opened again until the division is taken. It often happens that a

tardy member, arriving just a moment too late, has the doors slammed right in his face. This is what occurred when the newspapers announce that Mr. Robinson or Mr. Jones was "shut out."

The question is again put in the same form by the Speaker. There is still time for those who have challenged the decision of the Speaker to give way; and occasionally they do give way when the question is not of great party importance. But on this occasion the second declaration of the Speaker, "I think the 'Ayes' have it," is answered again by a shout from the Opposition benches, "The 'Noes' have it." The die is now cast. The division lobbies must decide the issue. The Speaker accordingly adds, "'Ayes' to the right and 'Noes' to the left," and names the two chief Government Whips as the tellers for the former and the Whips of the Opposition as the tellers for the latter.

The members then pour out into the division lobbies, which are two long and wide corridors or passages running round the Chamber. The supporters of the "Ayes" come up the House and enter their lobby by the door behind the Speaker's chair; the "Noes" go down the House and file into their lobby by the door under the clock. When the House is cleared, the entrance doors of the division lobbies are locked, and the exit doors are opened to allow the two streams of members to return to the Chamber again at the end opposite the one by which they left it. In each lobby two clerks sit at a desk, each with a list of members alphabetically arranged before him. At one side of the desk there is a large card with the letters, "A to M"; and on the other side of the desk another card with "N to Z." The members pass this desk in single file—each on the proper



side, according to his initial letter—giving their names to the clerks, who tick them off on the printed papers before them. In this way a record of the members who take part in each division is taken, and is published as part of the proceedings of the House.

It is interesting to note that for some time after this wise and proper system of recording votes was introduced in 1836, as a result of the enormous increase of popular interest in the proceedings of the House brought about by the Reform Act of 1832, the old members regarded it with considerable disfavour; and the tellers who then discharged the task of taking the record often found it difficult to obtain the names of some of the members as they intentionally pushed pass them in the division lobbies. The tellers now merely count the numbers. At the exit door of each lobby stand two of the tellers, one representing the Government and the other the Opposition, who count the members as they pass out and go into the House again, one teller checking the other in the counting, and thus obviating any dispute between them as to the result.

The average time a division occupies is ten minutes; but some big divisions, in which most of the members participate, take a quarter of an hour or twenty minutes. At length all the members have returned from the division lobbies, and the work of counting is over. The tellers appear in the Chamber, and give to one of the clerks at the table their respective numbers. The victors will now be known in a moment. The clerk writes the figures on a slip of paper, which he hands to the principal teller of the side that has won. Immediately, a roar of delight which lasts for a couple of seconds arise from the triumphant majority. They do

not wait for the announcement of the exact result. They know now that they have won—by what majority does not for the moment concern them—and they rejoice accordingly. Now we shall hear the numbers. The four tellers meet in a row in front of the table; the tellers for the victors to the left, the tellers for the vanquished to the right, and after the four have bowed simultaneously to the Chair, the principal teller for the majority reads out the numbers in a loud voice: “‘Ayes’ to the right, 298; ‘Noes’ to the left, 290.”

What a narrow escape for the Government! It is now the turn of the Opposition to shout, and so they lift their voices in exultation with all the energy they can command, whilst the occupants of the Ministerial benches answer back with mocking laughter and cries of defiance. “Order, order!” is heard from Mr. Speaker, and silence is once more restored. The result of the division must be announced from the Chair. The paper containing the figures has been passed on by the clerk to the Speaker as the tellers return to their places on the benches. “The ‘Ayes’ to the right were 298; the ‘Noes’ to the left 290,” says the Speaker, and he adds: “so the ‘Ayes’ have it.” Once more the cheering and shouting and yelling are renewed; the Government delighted that they have won, the Opposition rejoicing over the narrowness of the escape of their opponents.

The scene which follows a close division after a great debate in the House of Commons is one that can hardly ever be forgotten, even by a spectator. The intense passion of the moment is contagious. Every one is swayed by it. Even the most staid and solemn members of our great Legislature cheer and shout like schoolboys, and wave their hats over their heads, and slap each other on

the back in the turbulence of their emotions. Out into the lobby they stream, friends and opponents together, laughing and joking, and chaffing each other good-humouredly ; for though they have angrily stormed at each other across the floor at exciting moments of the debate, now that all is over amity and good-fellowship once more reign supreme. In another minute the doorkeeper cries, "Who goes home?" and the extinguishing of the great white light on the Clock Tower tells London that the House of Commons has adjourned.

## CHAPTER XIII

## GETTING A BILL THROUGH PARLIAMENT

“I CARE no more for the laws and constitution of this country than I do for the laws and constitution of Timbuctoo.” These irreverent words were used in a London police-court by a woman charged with riotously ushering in the New Year under the shadow of St. Paul’s. The magistrate sent her to prison for a fortnight; and I think that if the fortnight in Holloway Prison had been supplemented by another fortnight in the House of Commons, during the consideration of a big Bill, the haughty spirit of this female scorner of our laws and constitution would have been for ever abashed and humbled. For if Holloway demonstrates the might and power of the law of the land, the House of Commons shows what a difficult and complicated task is the making of that law, what infinite patience and labour are expended in the work; and also throws many interesting and instructive sidelights on the working of our constitution—that vague, shadowy and indeterminate thing in many respects; that curious combination of numerous Parliamentary enactments, of multitudes of reports of judicial decisions in the courts of justice, of unwritten codes of ancient traditions, usages and understandings, and of accepted political precepts and maxims, which is the result of fourteen hundred years of slow,

gradual, historical development, "broadening down," in Tennyson's inimitable phrase, "from precedent to precedent."

A Bill is the original draft or outline of a legislative proposal which, if it passes through both Houses, and receives the royal assent, becomes a statute or Act of Parliament. Bills are of two kinds, private and public. Private Bills, as we shall see later, are introduced to enable private individuals, associated together in companies, boards or corporations, municipal or commercial, to undertake, at their own risk, railways, canals, tramways, gas or water works, and other works of public convenience and utility, the construction and working of which involve interference with the private rights of individuals.

Public Bills, on the other hand, deal with matters of public policy by which the whole community is affected. Such Bills generally originate in the House of Commons—the Lords being debarred from introducing any Bill that involves expenditure from the National Exchequer—but every Bill, whether it be introduced in the Commons or in the Lords, passes through practically the same ordeal in both Chambers in succession. I deal, however, with Bills which originate in the Commons.

Getting a big Government Bill through the House of Commons is, indeed, a Herculean achievement. The legislative machine is, in its working, elaborate, complicated and slow. A Bill has to pass through no fewer than five distinct and different stages in both Houses, before the last ceremony of the royal assent can be performed. But it must not be forgotten that before a great Government measure, like the Parish Councils Bill—the last great Bill that passed through Parliament, and

which therefore I will use for the purposes of illustration—is introduced into the House of Commons at all, months have to be spent on its preparation. The Parish Councils Bill of 1893 contained about seventy clauses. Its principles were first laid, in the rough, before the Cabinet by the President of the Local Government Board; and after much consideration and discussion, no doubt, the Cabinet agreed to a particular scheme of parish government. Then came the work of drafting the Bill. The Government draughtsmen—eminent lawyers, who are adepts at the curious and quaint and circumlocutory language used in all Bills—and the leading permanent officials of the Local Government Board, devoted many weeks to the labour of embodying in close on seventy clauses, the principles of parish government, few in number, probably, which were originally agreed upon by the Cabinet.

Before a Bill can be introduced in the House of Commons leave must be asked and obtained. A notice, similar to the following, appears on the “Orders of the Day”—the daily agenda of the proceedings in the House:

SIR JOHN GORST,—

To ask leave to introduce a Bill for “The Improvement of Primary Education in England and Wales.”

At the appointed time the Minister in charge of the Bill makes his motion for leave, which he accompanies with a speech explaining the provisions of the Bill. In the case of an important measure, which arouses party feeling, it is usual for the Opposition to indulge in a brief criticism of some of its most contentious principles;

but it is the custom to allow the motion for leave to introduce the Bill to pass unchallenged by a division. The Bill is only printed and circulated amongst members after it has been read a first time, and, of course, until its provisions are fully before the House no determination can be properly come to as to the action to be taken in regard to it. Therefore the usage of allowing a Bill to be introduced without opposition is very rarely departed from, and only when in the opinion of some section of the House grave and urgent reasons exist for fighting the measure at every stage.

Leave having been given unanimously, or carried on a division, the Speaker rises and asks, "Who is prepared to bring in the Bill?" The Minister in charge of the measure replies by reading out the names of three or four members of the Administration, including himself, who have, as the Parliamentary phrase has it, "backed the Bill," and whose names appear on it, as its sponsors, when it is printed. The ceremony of introducing the Bill is then gone through. It is a very short and simple procedure. The Minister goes down to the Bar, and walking up the floor to the table, amid the welcoming cheers of the supporters of the measure, hands the Clerk what purports to be a copy of the Bill. But it is merely a dummy copy—a folded sheet of paper with the title of the Bill written on the outside. Indeed, I have occasionally seen a Minister, on obtaining leave to introduce a Bill, pick up from the table the nearest sheet of notepaper to hand, and while the rafters of the House rang loud and long with the enthusiastic plaudits of the admirers of the measure, solemnly hand the Clerk the piece of virgin paper as a copy of "The Criminal Law Procedure (Ireland) Bill" the official title of the

Crimes Bill of 1887, or the "Bill to Amend the Provision for the Government of Ireland," as the Home Rule Bill of 1893 was styled.

The Clerk on receiving the dummy copy of the Bill, reads out its title, and adds—"second reading." "What day?" asks Mr. Speaker. The Minister in charge mentions a date, as, for instance, "Thursday, the 14th of March," and thus is fixed the day for the next stage, or second reading of the Bill, when the battle over its proposals really commences. A debate, extending over a week or a fortnight, according to the contentious character of the measure, follows, in the course of which the principles of the Bill are attacked by the Opposition, and defended by the party in office—who are responsible for it—on broad and general lines. A division invariably follows such a debate. An amendment is moved stating the grounds of opposition to the measure, or it runs—"That this Bill be read this day six months," which is practically a rejection. If, however, the second reading is carried, the principles of the Bill have received the approval of the House.

Then comes the most important stage of all, the Committee stage, during which the details of the Bill are fully considered, and the Opposition endeavour to amend or reject them. But, occasionally, "instructions to the Committee" are found standing in the way of the House getting into Committee on the Bill. Fourteen of them, for instance, were put upon "the paper" in reference to the Home Rule Bill of 1893. These motions or resolutions consist of instructions to the Committee to amend or alter the Bill in certain particulars which would not be within the capacity of the Committee unless such instructions were adopted by the



House. In other words, the object of an "instruction" is to enable the Committee to extend or limit the scope of the Bill in a way not contemplated by its authors, and antagonistic to the purpose they have in view. One of the "instructions" to the Committee on the Home Rule Bill aimed at a contemporaneous settlement of the Irish land question; and another wanted a redistribution of seats. But in the case of the Home Rule Bill, the Speaker (Mr. Peel), by a stroke of authority, unique for its sweeping character in the history of the Chair, and which in a House governed by precedent has had the effect of enormously increasing the power of the Speaker, declared that, with one exception, the whole of the "instructions" were out of order. It must not, however, be supposed that if the Speaker had ruled otherwise the "instructions" would have been adopted, and that a land measure, and a reform measure—to say nothing of the aims of the other eleven "instructions"—would have been included in the Home Rule Bill. If an "instruction" is in order it is moved and debated like other motions, and its fate—which is, generally, rejection—is decided in the division lobbies.

The House then goes into Committee on the Bill. This is done simply enough. The Clerk reads the title of the Bill—"The Parish Council Bill—Committee." "The question is that I do now leave the Chair," says the Speaker. "As many as are of that opinion will say 'Aye'; the contrary 'No.' I think the 'Ayes' have it." And as his declaration is allowed to pass unchallenged, he adds positively, "The 'Ayes' have it," and forthwith steps down out of the Chair and quits the House. The Serjeant-at-Arms then places the mace beneath the table. The Chairman of Committees takes his seat at

the table, in the Clerk's chair, and the numerous amendments to the Bill, which have been handed in by members, are separately considered and accepted or rejected. Over 800 amendments to the Parish Councils Bill were received. These amendments were regularly printed every night, while the Bill was in Committee, and distributed in the morning, with other Parliamentary papers, to the members of the House of Commons. As may be imagined, "the amendment paper" was very bulky, especially in the early weeks of the Committee stage; and for a long time it showed no appreciable sign of diminution, as amendments may be put down, at any time of the Committee stage, to any portion of a Bill not yet considered.

"The amendment paper" to a big measure like the Parish Councils Bill is generally divided into sections or chapters, each opening with a clause of the Bill, and containing all the amendments put down to that clause. Some of the amendments are long and elaborate—others, again, are extremely brief. Here are a few amendments, taken at random from one page of the amendment paper of the Parish Councils Bill, relating to the allotment clause of the Bill:

MR. CHANNING,—

Line 35, leave out "but not exceeding in the whole four acres."

COMMANDER BETHELL,—

Line 35, leave out "four," and insert "two."

MR. THOMAS HENRY BOLTON,—

Line 35, leave out "four," and insert "three."

MR. CHAPLIN,—

Line 36, before "may," insert "where the allotment exceeds one acre."

MR. THOMAS HENRY BOLTON,—

Line 36, after “stable,” insert “or.”

Line 37, leave out “or barn.”

MR. COBB,—

Line 37, at end, insert,—

“(c) shall not require any rent to be paid in advance.”

MR. LOGAN,—

Line 37, at end, add,—

“(c) shall not require rent to be paid in advance.”

MR. CHAPLIN,—

Line 37, at end, insert,—

“ Provided also, that—

“(a) An allotment shall not be divided, sub-divided, or assigned without the consent of the Parish Council ;

“(b) The allotment shall be cultivated by the occupier, and shall not be used for any purpose other than agriculture, as defined in section twenty of the Small Holdings Act of 1892.”

MR. HENRY HOBHOUSE,—

Line 40, after “ Act,” insert,—

“ Provided that the Local Government Board shall not make an order authorising the compulsory hiring of any land, which by reason of its being accommodation land or water meadows or otherwise is necessary for the proper working of a farm of which it forms part, unless the whole of the farm is included in the order.”

Some of the short amendments seem utterly unintelligible, but a glance at the clause dealt with explains their aim and object. They are taken up for consideration in the order in which they appear on the paper. The Chairman calls on the member who has the first amendment on the paper—“ Mr. Channing,” for instance

—and Mr. Channing rises and gives his reasons for moving that the words “but not exceeding in the whole four acres” should be omitted from the clause. A reply is then given on behalf of the Government by the Minister in charge of the Bill. He may accept the amendment or he may oppose it; and if the latter course be chosen, the fate of the proposal, after other members have advanced reasons for and against it, is usually decided by a division.

The duty of dealing, on behalf of the Government, with the amendments to the Parish Councils Bill was discharged by Mr. (now Sir) H. H. Fowler, who, as President of the Local Government Board, was the Minister in charge of the measure. It was no easy task to steer a huge Bill like this through the uncertain and sometimes turbulent waters of the Committee stage, avoiding the rocks and shoals that thickly abound, in forms of unforeseen complications, and of waverings and indecisions in the ranks of supporters. Sir Henry Fowler, indeed, after close on three months of Committee on the Parish Councils Bill, looked grey and worn. All his time had to be given to the Bill, for he was responsible for every clause and line and word of it; and he had to find reasons for accepting or rejecting each of these 800 amendments, according as they were moved.

Sir Henry Fowler came into the House at the opening of each sitting with two huge despatch-boxes, which he placed on the table in front of his seat on the Treasury Bench. When these were opened, masses of documents of all sorts and sizes—printed, type-written, and written—were disclosed, and were constantly consulted during the proceedings. It may be asked how Sir H. Fowler carried in his head all the reasons why this amendment

should be accepted and that rejected. That would, indeed, have been an impossible task. What he did was to produce from his despatch-boxes bundles of papers containing the amendments, one pasted at the top of every page, and below, clearly type-written, the points of a speech, accepting it or rejecting it as the case might be. These speeches were, no doubt, thought out by Sir H. Fowler in the morning before the House meets, dictated to his secretaries, and type-written and prepared in this convenient form. The result was that, no matter how fagged he might become at night in the House—and the proceedings as a rule are wearisome and fatiguing to the Minister in charge, who can rarely leave his place on the Treasury Bench—Sir H. Fowler's replies were always fresh and vigorous.

Sir H. Fowler got little assistance from the other members of the Government. As each Minister has his own department to look after, it is the rule to confine himself exclusively to the affairs of that department, and not to interfere in a Bill affecting any other department unless invited by the Minister specially interested. Therefore, on Sir H. Fowler fell almost the entire burden of the work, relieved occasionally by some help from Sir Walter Foster, the Secretary to the Local Government Board, and from Sir John Rigby, the Solicitor-General, when any amendment embodied a point of law. Sir H. Fowler might now and then be seen consulting with two or three gentlemen who occupied one of the benches devoted to "strangers," under the clock, every night during the Committee stage. These gentlemen were some of the permanent officials of the Local Government Board—the heads of the department, who retain their positions though Ministers may come

and Ministers may go, and by whom, indeed, the work of each department is carried on, no matter what party may be in office.

It is a usual thing for big measures, like the Parish Councils Bill, the Home Rule Bill, or the Bill for the Disestablishment of the Church in Wales, to occupy between two and three months in Committee. Such Bills are discussed, not only clause by clause, but word by word. And while a member can speak but once on any question when the House is sitting, he may speak as many times as he pleases on the same amendment in Committee. In fact, debate on an amendment may be protracted to any length, according to the volubility of members who desire to talk on it, if the Minister in charge of the Bill does not lose patience and bring the discussion to an end by moving the closure. Another distinction between the House and the Committee is that debate in Committee is much more business-like than debate in the House, with the Speaker in the Chair. There is occasionally a set debate on an important amendment—a “field night” on which all the oratorical forces of each party are brought into action—but, as a rule, in Committee members talk in a conversational fashion, and argue the points in brief pointed speeches.

The Bill, as I have said, is considered clause by clause. When all the amendments to a clause have been disposed of, the Chairman puts the question, “Clause 1,” or “Clause 20” (as the case may be); “the question is that this clause stand part of the Bill,” or, if it has undergone alteration, “that this clause as amended stand part of the Bill,” and on that question the principle of the clause may be again debated, no matter how

minutely it may have been previously discussed as amendment after amendment was moved to the clause. A Bill is not rejected in Committee. If, however, a vital principle of a Bill is successfully attacked, or if an important clause is rejected, the Bill is not only dropped, but the Administration, on whom a vote of censure has been thus indirectly passed, resigns—thus throwing upon the Opposition the responsibility of carrying on the Government—or appeals to the country to decide the issue in a General Election.

Nevertheless, a Bill often undergoes substantial emasculation or expansion in Committee, without bringing disaster to the Ministry. The Minister in charge moves and carries many amendments with a view to improve defects in the measure from his point of view, which have been pointed out to him by friendly critics, or which he has discovered himself; and other amendments proposed by supporters of the Government, or even by members of the Opposition, are also often accepted. The utmost skill and experience of members of the House generally are brought to bear on the improvement of a big Bill in Committee, and when at last that stage is concluded, when the Chairman puts the question, "That I report this Bill with amendments to the House," and it is agreed to, there has been fashioned as good a piece of legislative workmanship as human nature is capable of.

In 1882, the House of Commons, recognising that it is impossible for it to do itself and within its own Chamber the vast amount of legislative work, which, owing to the ever-increasing claims on its attention, and the ever widening extension in all directions of the operations of Government, it is now called upon to perform, decided to delegate some of its functions to Committees

or sections of itself. It therefore appointed two Standing Committees for the consideration of all Bills relating to law, courts of justice and legal procedure, and to trade, shipping, and manufactures. These Committees are respectively known as the "Grand Committee on Law Bills," and the "Grand Committee on Trade Bills." This devolution of work has proved one of the most valuable reforms ever introduced into our Parliamentary procedure. Each Standing Committee, which consists of not less than sixty or more than eighty members, is intended to be a sort of microcosm of the whole House. The members are nominated by the Committee of Selection, a small body of the oldest and most experienced members of the House, appointed for this special purpose—who are guided by the principle of having all parties and all sections of opinion in the House fairly represented on these Grand Committees. The Committee of Selection also add to a Grand Committee, as specialists, fifteen members having an intimate acquaintance with the subject-matter of any Bill referred to it, who serve on the Grand Committee while such Bill is under consideration.

When a Bill dealing with questions of law or with trade matters has been introduced in the way already described, and is read a first time, and a second time, it is committed to the Standing Committee on law or on trade as the case may be. The Committee meets under the presidency of a chairman at twelve, in one of the Committee-rooms upstairs, and sits till four o'clock. Twenty members form a quorum. Clause after clause is considered, amended, rejected or adopted, exactly as in the case of a Bill before a Committee of the whole House. These Standing Committees impose a very heavy additional



strain upon members of Parliament who are nominated to serve on them. But the burden is, as a rule, cheerfully borne. Many a member of talent and business capacity, who, probably because of the lack of a glib, eloquent tongue, has failed to make himself a prominent figure on the larger stage of the House, transfers his ambition for distinction to the rather obscure shades of the Committee-rooms. The reporters are admitted to the Committee meetings, but the newspapers allot to the discussions not a tithe of the space which they would devote to the same Bills before a Committee of the House; and no record of the proceedings is taken by shorthand writers for the Parliamentary Debates (as "Hansard" is now known), although similar proceedings on identical Bills in the House are fully reported. But notwithstanding the absence of this incentive to devotion to duty—or perhaps, I should say because of its absence—the details of Bills so referred to Standing Committees are carefully considered, the discussions are brief and to the point, the divisions are generally on non-party lines; and as a result the Acts of Parliament which go through this ordeal will bear favourable comparison, for freedom from blots and contradictions, with the statutes that have passed through Committee of the whole House.

We have, hitherto, been considering public Bills introduced in the House of Commons on behalf of the Government. "Private members," as the unofficial members of the House are called, may also bring in public Bills. The forms of the House throw difficulties in the way of a member who desires to relinquish his legislative functions. He cannot theoretically resign his seat. He must be either a bankrupt or a lunatic; be

expelled, or accept an office of honour or profit under the Crown—such as the nominal stewardship of the Chiltern Hundreds—before he can quit the House of Commons. On the other hand, the forms of the House afford him few opportunities of exercising his legislative functions by initiating a little legislation on his own account. At the opening of every Session at least three hundred Bills are introduced by private members. Not three per cent. of these Bills pass through all the stages which are essential before they can be inserted on the Statute Book.

A member has no difficulty in getting leave to bring in a little Bill of his own; having it read a first time, and then printed at the expense of the State. But after that all is uncertainty. The chance of having the Bill inscribed on the Statute Book is small, even in the most favourable circumstances; but its progenitor may at least get it debated on the motion for its second reading, if he at the opening of the Session succeeds in securing for it an early place or date. The ballot-box is resorted to for the decision of the matter.

Members desirous of introducing Bills write their names on a list at the table on the opening day of the Session. Each name has got a distinguishing number. Corresponding numbers on separate slips of paper are placed in a box, shuffled up, and then drawn out singly by one of the Clerks at the table in the sight of all the members. If “4” is the first number drawn from the box, the Clerk calls out “four”; and the Speaker, looking at the list of names with which he is now provided, calls out the name of the lucky member, standing opposite “four,” who immediately rises and gives notice of his intention to introduce, say, a “Bill to regulate

dealings in Pig Iron by means of Warrants." For the second reading of that Bill the lucky member chooses the first available Wednesday (all Wednesdays being private members' days, till towards the close of the Session, when the Government seizes them for their own measures), and on that particular Wednesday the Bill about dealings in pig iron appears as the first of the "Orders of the Day." In the same manner the member whose name is drawn second from the ballot-box, selects the first place on the second available Wednesday; and so on until the first places on all the probable Wednesday sittings are appropriated, after which the second places are chosen.

Fifteen years ago the Irish party introduced a novel system of balloting, in order to secure favourable places for their Bills. All the members of the party put down their names on the list for notices of Bills; and those whose numbers are earliest drawn from the ballot-box, give notice of Bills, in the order of their importance, which the party at a meeting held previously decide to introduce. Since then the example of the Irish party has been followed by every Particularist group or section of members in the House.

But unless the chances of the ballot turn out very propitious, private members' Bills—what with the limited time at their disposal, and the opportunities for destruction afforded by the forms of the House—rarely reach the Statute Book. The vast majority of them are killed by the curious system known as "blocking." The Government appropriates so much of the time of the House to its own business, that Bills of private members who have not had the luck of obtaining first places on Wednesdays, can only come on for consideration at

twelve o'clock at night, or at half-past five on Wednesday sittings. Now, as no opposed business can be taken after these hours, unless a Bill meets with universal favour it can make no progress. The opposition of a single member is sufficient to prevent any progress being made with a Bill at this period of the sitting. And if that opposition is exercised, the Bill is said to be "blocked."

Twelve o'clock at night arrives. Government business which occupied the attention of the House till that hour is then postponed; and the Clerk goes through the remaining "Orders of the Day," in which as many as eighty of these Bills of private members often appear. The Clerk reads out the first of the Bills—"The Chimney-sweepers Registration Bill." The member who has introduced it says: "Now," meaning that he desires the Bill to be proceeded with there and then. Immediately another member cries out: "I object," and—bang! goes the Bill into the waste-paper basket. The Bill has been "blocked!" And so on through the entire list of Bills. The witching hour of night brings a terrible slaughtering of "the innocents of legislation" in the House of Commons.

"Blocking" has degenerated into a system of reprisals. The Bills of Liberal members are blocked by Conservatives; and the Bills of Conservative members are blocked by Liberals. Frequently, the most pathetic appeals are made at this time of the sitting. "Spare my little ewe lamb!" the author of the Bill cries out when he has heard the dreaded words "I object" from the benches at the opposite side of the House; "No, no," comes the relentless response; "my little duckling was killed by your colleagues. I must have my revenge."

Of course, many of these Bills represent pernicious fads and hobbies of members, or Quixotic attempts to make straight the crooked things of this world—Bills it would never do to pass into law. Some members get so passionately attached to a hobby that night after night, Session after Session, Parliament after Parliament, they will strive with untiring patience, unruffled by unfeeling ridicule and cruel disappointments, to get it inserted in the Statute Book. An old and eccentric member of the House, who died recently, vainly endeavoured during half a century of Parliamentary life to get passed into law a Bill for preventing persons from standing outside windows while cleaning them. During his last Session, the poor old gentleman is said to have complained to a colleague that his object in introducing the Bill had been quite misunderstood by the House for these fifty years. "I introduced the Bill," said he, "not for the sake of the window-cleaners, but for the sake of the people below, on whom they might fall. The idea of the Bill was suggested to me by the fear that a window-cleaner might fall on myself."

When a Bill has emerged triumphantly from the Committee stage, the worst of its troubles are over in the House of Commons at least. The Speaker is sent for—if the Committee be one of the whole House—the mace is again placed upon the table and the House resumes. The Chairman of Committees standing close to the Chair with a copy of the Bill in his hand, reports to the Speaker that the measure has passed through Committee. If a Bill be reported to the House without amendment it may be read a third time forthwith, and its career in the House of Commons be thus brought to a close. But as that never happens in the case of a big

Government measure, such as the Parish Councils Bill, a day is fixed for the fourth stage of a Bill, known as "the report stage," and the Bill is usually reprinted in the interval, if it has been materially amended in Committee.

On the report stage amendments may again be moved to the clauses of the Bill, or new clauses may be proposed ; or the Bill may even be recommitted to the Committee again, if matters which can only be properly dealt with in that stage have been overlooked. However, the report stage is generally brief, the amendments being usually confined to points that have not been dealt with in Committee, and then comes the fifth and last stage of the Bill—"the third reading." A set debate in which the principles of the Bill are attacked and defended, as at the second reading stage, takes place, and in the case of a highly contentious measure, like the Home Rule Bill, occupies at least a week. But the Bill cannot now be altered in any way. It can only be either adopted or rejected, on a division ; and accepted it is in ninety-nine cases out of a hundred—the defeat of a Bill on its third reading in the House of Commons being an extremely rare occurrence.

Immediately after the passing of the Bill the Clerk takes it to the Bar of the House of Lords, where, desiring the concurrence of their lordships, he hands it over to the Clerk of that House. If the Bill be not rejected forthwith, like the Home Rule Bill of 1893, it has to pass through the same identical five stages again, but not at such protracted length as in the Commons. The Lords may agree with the Commons in the principles of the measure by reading it a second time, and yet may alter it substantially in matters of detail during the Committee

stage. But however trivial the alteration may be, the Bill, after it has passed the third reading in the Lords, comes back again to the Lower House for the consent of the Commons to the peers' amendments. The Commons may agree or may not agree with the Lords in their amendments. If they agree, well and good. If they refuse to agree the Bill is stripped of the Lords' amendments and sent back to "the other place" (as the House of Lords is called in the House of Commons) in its original form. Should both Houses remain inflexible the Bill is dropped. If, however, a compromise smooths the differences between the two Houses, the Bill is passed, and remains with the Lords for the royal assent, which converts it into an Act of Parliament.

Such is the lengthy and elaborate process by which a Bill is transformed into an Act. Nevertheless, a Bill may pass through all its stages in both Houses of Parliament and receive the royal assent in the course of a single day. Rapid law-making of this nature is secured by the suspension of the Standing Orders which regulate procedure in regard to Bills. It is resorted to only in cases of national crisis or disaster. The Bill for the suspension of the Habeas Corpus Act in Ireland during the Fenian troubles in 1866, and the Explosives Bill during the dynamite scare in 1883 were passed in a single day. The Standing Orders are also suspended by common agreement towards the end of a Session, in order to wind up business quickly. Owing to the facilities afforded by the telegraph and special trains, the royal assent has frequently been given to a measure within two hours of its third reading by the Lords. The Queen was at Windsor. A telegram that the Bill had passed through all its stages was sent to her Majesty, and by

arrangement she forthwith despatched a messenger by special train to London with Letters Patent authorising the giving of the royal assent by Commission.

But the most curious, and certainly the most picturesque, scene to be witnessed at Westminster in connection with the passing of Bills is the announcement in the House of Lords of the royal assent. The Sovereign is supposed to initiate all legislation. All important public Bills are, as we have seen, brought in by Ministers. They do not seek the consent of the Sovereign before doing so, and yet they are supposed, by the theory of the Constitution, to be acting under commands from the Crown. What amiable fictions meet us at every turn at Westminster! All statutes open with what is called "the enacting clause," which is as follows:

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal and Commons, and by the authority of the same.

As a matter of fact, the power of the Crown in regard to legislation has never, since so far back as the reign of Henry VI., been more than a right to express assent or dissent to Bills which have passed both Houses of Parliament. This right, according to the theory of the Constitution, still exists. Therefore, before the provisions of any Bill which has passed both Houses of Parliament are declared the law of the land the Bill must be presented to the Queen and receive her royal assent. But Bills are now never laid before the Queen that she may exercise her independent judgment upon them, rejecting some and approving others as she thinks fit.



If they are laid before her at all, it is a mere formal ceremony, for she could not personally say "Nay" to any of them. The "veto" power of the Crown—the power of the Sovereign to approve or reject Bills according as she regards them personally—has completely lapsed, though constitutional fiction has it that it still exists unimpaired in all its pristine force. The fiction has, however, its uses. It affords to Ministers the opportunity of dropping a Bill even after it has passed beyond the control of both Houses of Parliament. If at the twelfth hour it were found desirable not to place a Bill on the Statute Book, the Sovereign need only say "Nay," on the advice of the Ministers, and the measure would be as dead as if it had been destroyed on a division in the House of Commons or the House of Lords.

Even in the days of George III., who endeavoured to rule as well as to reign, the giving of the royal assent was a formal matter. Lord Eldon, for many years Lord Chancellor in the first quarter of the century, used to relate that once, when the mind of George III. was not supposed to be very healthy, he went down to Kew to obtain the royal assent to certain measures. He was reading over the titles of the Bills and explaining their effects, when the King, interrupting him, said, "You are not acting correctly. You should do one of two things: either bring me down the Bills for my perusal, or say as Thurlow once said to me on a like occasion. Having read several of the Bills, Thurlow stopped and said to me, 'It is all damned nonsense trying to make you understand them, and you had better consent to them at once.'"

What really happens now is that, when a number of

Bills await the royal assent in the House of Lords, Letters Patent are issued under the Great Seal, appointing a Royal Commission, consisting of five peers, to go through the strange and archaic ceremony—but picturesque withal—of approving these Bills on behalf of the Sovereign.

When the House of Lords meets for this ceremony the five Royal Commissioners sit, as we have seen them sit on other occasions, all in a row, in scarlet robes and three-cornered beaver hats, on a bench beneath the Throne. The centre figure is the Lord Chancellor. At a nod from him “Black Rod”—the messenger of the House—proceeds to the Lower Chamber to summon the Commons, as both Houses must be present at the ceremony, and in a few minutes returns with Mr. Speaker, attended by the Serjeant-at-Arms and followed by a crowd of members who congregate at the Bar or overflow into their galleries. One of the three clerks at the table then reads the Royal Commission, a huge piece of parchment, in which it is set forth, with much circumlocution, that the Queen has commanded “her right trusty and well-beloved councillors”—naming the five Royal Commissioners—to give, on her behalf, assent to certain Bills.

Then two of the clerks take up positions on either side of the table. The one to the left of the Lord Chancellor, who is known as the Clerk of the Crown, has a pile of Bills on the table beside him; and taking up one, he bows to the Royal Commissioners, reads out its title, bows again, and replaces the Bill on the table. The clerk on the right-hand side, known as the Clerk of Parliaments, next discharges his duties in the function. He first bows to the Royal Commissioners, then turns

round and bows to Mr. Speaker and the Commons assembled at the Bar, and announces to them the Royal assent in the French phrase, "*La Reyne le veut*," or, "The Queen wills it." And so that Bill has become the law of the land. The Clerk of the Crown again takes up another Bill from the pile on the table, bows to the Royal Commissioners, reads the title of the Bill, bows once more; and again the Clerk of Parliaments bows first to the Royal Commissioners, then to the Commons, and again declares, "*La Reyne le veut*." And so on till the pile of Bills is exhausted.

There is, however, a change made now and then in the form of words in which the Clerk of Parliaments announces the royal assent. If the measure be a private Bill, such as a Bill empowering a gas, or water, or railway company to extend its operations, he says: "*Soit fait comme il est désiré*;" or should the Bill be one for granting subsidies to the Crown, he says: "*La Reyne remercie ses bons sujets, accepte leur b n volence, et ainsi le veut*."

If the Sovereign thought fit to refuse assent to a Bill—not because its provisions were repugnant to her personally, but because she was advised to do so by her Ministers—the Clerk would say: "*La Reyne s'avisera*," or, "The Queen will consider it." Not since 1707, when Queen Anne denied her approval of a "Bill for the Militia of that part of Great Britain called Scotland," has this power of rejection been exercised by the Sovereign personally.

The rather ludicrous and incongruous use of Norman-French in this ceremony is a belated survival of the days long, long ago, when the Sovereign of Great Britain and Ireland was supposed to be the ruler also of

France. The year 1707, in which, as we have seen, the royal prerogative of refusing assent to a Bill was last exercised, was also remarkable for an attempt to establish by legislation the giving of the royal assent to Bills in the English tongue—the tongue in which Oliver Cromwell gave his assent to Bills passed during the Commonwealth. A Bill with that object in view was introduced in the House of Lords, passed through all its stages in that Chamber, and had reached its second reading in the House of Commons, when a dissolution of Parliament terminated its career. No attempt was ever afterwards made to revive it.

An Act comes into operation on the day it receives the royal assent, unless a date is already provided, as is usually done, in the Act itself; and the clerk-assistant in the House of Lords is accordingly required to endorse on every Act, immediately after its title, the day, the month and the year, the royal assent was given to it.

Acts of Parliament are not proclaimed or promulgated in any way. They are printed “by authority” by the Queen’s printers—which ensures their acceptance as correct in every court of justice; copies are sent to judges and justices—who are the interpreters and dispensers of the law—and they are engrossed for preservation among the Rolls of Parliament. But that is all that is done in the way of bringing them under the notice of subjects. Nevertheless all subjects are bound to take note of the law. A violation of a statute is not extenuated by a plea of ignorance. The whole nation is, in strict constitutional theory, present within the walls of the Palace of Westminster, when the estates of the realm are engaged in the work of legislation.

Therefore an Act of Parliament requires no public notification in the country. Of course, in practice a subject finds it extremely difficult to obtain entrance as a spectator to the Houses of Parliament; but of that little detail the Constitution takes no account.

## CHAPTER XIV

## “BLACK ROD’S” KNOCK

“BLACK Rod” is an important and picturesque functionary of Parliament. He is at once the policeman of the House of Lords and the Parliamentary messenger of the Sovereign. He executes the warrants issued by the Upper Chamber for the arrest of persons who have been adjudged guilty of a breach of its privileges or a contempt of its dignities. But in these days the curiosity of the public, or their love of sensation, is never piqued by the appearance of “Black Rod” in the rôle of a policeman. Indeed, it is seventy years now since a poor trembling wretch stood, in the custody of “Black Rod,” at the Bar of the House of Lords, charged with having outraged its awful majesty. He was a tradesman of Westminster. One winter’s evening, after he had put up the shutters of his shop, he strolled across Old Palace Yard to hear a debate in the House of Lords. He had with him an umbrella, which he deposited in the charge of one of the doorkeepers before he entered the strangers’ gallery. He never saw the article again. Another stranger, yielding to a too common weakness of frail humanity, carried it off, while its rightful owner—trustful of the might of the Imperial Parliament to protect, at least within its own sacred precincts, the property of its subjects—was drinking in political

wisdom from the lips, perhaps, of the Duke of Wellington.

The tradesman of Westminster was naturally indignant at the loss of his umbrella, but the expression of his feelings assumed a form highly subversive of the ancient privileges of Parliament. He actually issued a process against the door-keeper of the House of Lords for the recovery of the value of the lost article! This was more than the House of Lords could stand. One of their door-keepers summoned to appear as a defendant in a court of law! “Black Rod” was despatched to arrest the daring shop-keeper, who was brought forthwith to the Bar, and soundly rated by Lord Chancellor Eldon on his presumption in outraging the dignities of the House of Lords, because of the loss of a miserable umbrella. Happily he was not consigned to the Tower. He humbly apologised for his conduct, promised to take no further action against the door-keeper, and, after another severe reprimand, was escorted by “Black Rod” to Old Palace Yard and there discharged. That was the last public appearance of “Black Rod” as the executive officer of the House of Lords.

But as the royal messenger, “Black Rod” is occasionally in evidence in both Chambers during the progress of a Session. When the Queen appears in the House of Lords, either personally or by commission, to open Parliament, to give the royal assent to Bills, or to prorogue Parliament—three constitutional functions which are controlled in form, if not in substance, by the prerogatives of the Crown—the members of both Chambers must be present; and it is in his capacity as royal messenger that “Black Rod” is deputed on such an occasion to summon the Commons to the House

of Lords. It is true that in our times the Sovereign is rarely present in person at any of these Parliamentary ceremonies; but whether her Majesty is personally present, or represented by Commission, the message which "Black Rod" conveys to the Commons is the message of the Sovereign. The office—to which a salary of £1000 per annum is attached, with an assistant called the "Yeoman Usher of the Black Rod" (paid £500 a year) to discharge some of its limited duties—is in the personal gift of the Sovereign, and is invariably bestowed on an old military or naval officer.

It would, however, appear from the reception always accorded "Black Rod" by the Commons, that he is not a very welcome visitor to the Lower Chamber. As he walks along the lobby that lies between the Chamber of the Lords and the Chamber of the Commons his approach is heralded by an iron-throated usher shouting, "Black Rod! Way for Black Rod." But the moment that stentorian cry reaches the ears of the Serjeant-at-Arms in the House of Commons, he springs from his chair, close to the main entrance to the Chamber, and rushing to the open door behind him, shuts it with a most inhospitable bang, right in the face of "Black Rod," and securely locks and bolts it. The Serjeant-at-Arms then peers out into the lobby through a grated peep-hole, with a wooden slot, fixed in the stout oak door. Presently three faint knocks are heard at the door. They are administered by "Black Rod." The petitionary appeal of this soft, humble "rat-a-tat-tat" no one could resist; and so, at a nod from the Speaker, the doors are flung open by the Serjeant-at-Arms, and in walks the royal messenger.

He is not a very formidable looking personage.



Arrayed in his official attire—a black tunic lavishly slashed with gold embroideries, knee-breeches, silk stockings and silver-buckled shoes—he presents, indeed, a rather picturesque appearance; and there is not the slightest suggestion of aggressiveness, notwithstanding the sword that dangles by his side, and the short ebony rod, adorned with a gold knob, which he carries in his right hand, and from which he derives his curious title.

Why, then, this hostile reception given to “Black Rod”? Why this ignominious shutting of the door of the House of Commons in his inoffensive face? Why must he wait on the door-mat, and knock three times for admission to the Chamber before it is granted to him? But really, appearances notwithstanding, no insult, no indignity is meant to the royal messenger. It is an ancient constitutional usage. It is one of many quaint and time-honoured customs still preserved in Parliament which, perhaps, seem meaningless, and even ridiculous nowadays—so far are they removed from the realities of things—but which in far-off years were of the utmost importance and significance. It is a survival of the times when the House of Commons was not so free and independent, or so sacred from hostile intrusion, as happily it has been now for many years. It is intended as a demonstration of the right of the representatives of the people to conduct their deliberations in secret when they deem it necessary; to close their doors against all comers, and especially against the messengers of monarchs or peers, and a declaration that nobody, high or low, but a duly elected member, dare enter their Chamber without permission, respectfully and even humbly asked, and expressly granted. These three solemn knocks of “Black Rod,” therefore, strongly appeal to

the historical imagination. They recall many momentous Parliamentary incidents in the long and bitter struggle for our Constitutional liberties, and, as they fall upon our ears, even the coldest of us must feel the impulses of our ancestors stirring within us still.

But it must be confessed that some of our representatives fail to realise the true significance of this quaint ceremony. We know how thin the dividing line is between the sublime and the ridiculous ; between tragedy and comedy ; between pathos and bathos ; and the House of Commons being often readier to seize the ludicrous and the humorous, rather than the picturesque and the emotional, side of things, it often happens that the entrance of "Black Rod" is the signal for irreverent laughter and sarcastic remarks. When the door of the House of Commons is opened for the royal messenger, the loud-voiced usher preceding him to the Bar, cries : "Black Rod." The business in hand is at once interrupted. Members retain their seats and wear their hats, but the Speaker respectfully rises to receive the message from the Sovereign. "Black Rod" advances slowly up the floor with solemn mien, as if to show that he is becomingly impressed by the dignity and sanctity of the Chamber, and that he at least would not dare to rush in where angels might fear to tread. He further demonstrates the awe with which he is filled by making, during his progress up the floor, three low obeisances to the Chair. On reaching the table, he announces that "The Lords Commissioners desire the immediate attendance of members of this honourable House in the House of Peers." When her Majesty is personally present in the House of Lords, the message which "Black Rod" delivers to the Commons is more peremptorily

worded. It runs: “The Queen commands this honourable House to attend her Majesty immediately in the House of Peers.”

The wording of the message was once the cause of an amusing episode in the House of Commons. General Sir W. Knollys was “Black Rod” at the time. In March 1880 he came down to summon the Commons to the House of Lords to hear the royal assent given by Commission to certain Bills. But instead of “desiring” the attendance of members at the House of Lords, he “required” it. Sir George Bowyer, an Irish representative, and apparently a great stickler for Constitutional etiquette, subsequently called the attention of the Speaker to what he described as “the unusual language” used by “Black Rod,” which he thought was contrary to established usage and the privileges of the House of Commons. He appealed to the Speaker for a definite ruling that the word should be “desire” and not “require” in order that the objectionable expression used by “Black Rod” should not become a precedent. The Speaker (Mr. Brand) said that the customary word on such occasions was certainly “desire;” but he apprehended that the word “require” was only another form of the word “desire,” and he therefore would not say that it was an improper expression. Happily perhaps for the good relations between the Estates of the Realm, the more peremptory form, which aroused the indignation of Sir George Bowyer, has not since been used by “Black Rod.”

In our own times “Black Rod” has been the subject of angry discussions in the House of Commons. Formerly, the royal messenger entered the House during the progress of business, often in the middle of a speech

which everybody was anxious to hear; and the representative on his feet, whoever he was—whether Minister or unofficial member—had perforce to resume his seat for the quarter of an hour the Speaker was away in the House of Lords. Members of the House of Commons, therefore, complained occasionally of the inconvenience of “this invasion of ‘Black Rod,’” as Mr. Labouchere once described the visit of the royal messenger. The more Radical and irreverent section of the House, indeed, assailed the venerable ceremony in a spirit of destructiveness. They argued that the royal assent is nowadays an empty form which might be done away with altogether. That iconoclastic view however found little sympathy. It is true that the royal assent has been shorn of much of the significance it wore in days when its denial was not unknown; but nevertheless the concurrence of the Sovereign is, under the Constitution, still essential to the validity of an Act of Parliament, and therefore cannot be dispensed with. On the other hand, there was a general desire that the visitation of “Black Rod” should be made at an hour convenient to the House of Commons. The case was hardly met by the reply which it is said the late “Black Rod,” Admiral Sir James Drummond, made to a member who remonstrated with him on the untimeliness of his appearances in the Lower Chamber: “I fully understand your feelings on the subject,” said the gallant sailor, “but you ought to remember that while there are 670 members of Parliament there is only one ‘Black Rod.’”

But nothing was done in the matter until the Session of 1890, after Mr. Gladstone had been interrupted in a speech by the advent of the royal messenger. It was on the evening of July 5, of that year, that this historic

incident took place. An Irish grievance was under discussion. It was said that a politician had been sent to prison in Ireland for “shadowing the shadow by which he was shadowed,” or, in other words, for obstructing a police constable who had been directed to keep an eye on his movements. The answer of the Government was that the man had his “legal remedy,” if he felt aggrieved. Mr. Gladstone, who was then in Opposition—it was during the regime of Mr. Balfour as Chief Secretary for Ireland—sprang to his feet, and leaning halfway across the table, and shaking a minatory forefinger at the Irish Attorney-General, proceeded in a voice of deep severity to reprimand that learned gentleman, possibly on his use of the cold jargon of the lawyer in a matter of such importance. But the Grand Old Man never finished even his first sentence. He was interrupted by an ear-splitting cry of “Black Rod”; and manifestly a little startled he dropped back into his seat again. Of course Mr. Gladstone had too much respect and reverence for ancient procedures and old-time ceremonies of Parliament to have felt annoyed at this abrupt interruption of his remarks; but his followers—especially the Radical and Nationalist wings—showed their resentment in the angry and menacing glances they cast at the royal messenger as he walked up the floor, and the loud cheers with which they greeted the sentiment, “Bother the House of Lords,” which some member ventured to express.

The incident, however, was not without its amusing side. When the Speaker returned from the House of Lords, he made the customary announcement of what had taken place there. “I have to acquaint the House,” said he, “that this House has been to the House of

Peers, where it has been announced that her Majesty has been graciously pleased to give by Commission her Royal assent to the Suck Drainage (No. 2) Bill." A roar of ironical laughter went up from all sides of the House. So all the row, the ill-temper, the amusement—the interruption of the proceedings of the greatest Legislature in the world, at the moment when its most eloquent and most renowned member was on his feet addressing it; the angry remonstrance of the Opposition; the solemn march of Mr. Speaker across the corridors to the House of Lords; the elaborate ceremony, with its antique Norman flavour, in that Chamber; the solemn walk back of the Speaker again to the House of Commons—were caused by the antics of a little insignificant river, with the comic, but appropriate name of Suck, in the county of Galway, whose voracious appetite for cows and hayricks in the winter season, when its waters are reinforced by the tributes of the hills, the Bill in question was intended to destroy by drainage!

Curiously enough, in Mr. William O'Brien's political novel, "When we were Boys" (published in 1889), there is a Chief Secretary, Mr. Jelliland, whose grand specific for the removal of the miseries and discontent of Ireland was the drainage of the river Suck. This, of course, is intended as a piece of sarcasm. It is directed against statesmen, who, in the opinion of the novelist, have failed to grasp the import and gravity of what is called the Irish question. Well, if the drainage of the Suck has not accomplished the social regeneration of Ireland, it has indirectly led to an important readjustment of the machinery of Parliament. Following the interruption of Mr. Gladstone by the visit of "Black Rod," communications passed between the Lord Chancellor on behalf of

the House of Lords, and the Speaker on behalf of the House of Commons, which resulted in an arrangement that in future “her Majesty’s faithful Commons” should be summoned to hear the royal assent given to Bills before the commencement of public business in the House of Commons. Three o’clock is the hour at which the Commons meet. The Lords do not assemble till four. But, as a rule, business does not actually begin in the Commons till half-past three; and as the Lords agreed to meet an hour earlier than usual—that is at three o’clock—whenever it is necessary to hold a Commission for giving the royal assent to Bills, the despatch of “Black Rod” to “desire” the presence of the Commons in the Upper Chamber, is so timed that his knock is now heard at the door of the House of Commons only during the quiet half-hour which follows the opening of that assembly.

## CHAPTER XV

## A NIGHT IN THE HOUSE OF LORDS

THE chance of spending a long night in the House of Lords does not often occur, for the sittings of the peers are usually very brief. A quarter of an hour is not infrequently the length of a sitting. Sometimes a sitting may extend to an hour; on still rarer occasions, when an important subject is under consideration, it may be prolonged till seven o'clock—just in time to enable their lordships to get away to dinner—and perhaps on two nights of a Session of seven or eight months' duration, the sitting will last till midnight. But it most frequently happens that the newspaper reports of the House of Lords open with the announcement: "The Lord Chancellor took his seat on the Woolsack at 4.15 o'clock"; and after mentioning that some private Bills were brought in, or read a second time, concludes with the line; "The House adjourned at 4.30 o'clock." The explanation of the brief and intermittent sittings of the hereditary Chamber, is that as the Lords are practically debarred from initiating legislation of an important public character, it is only when the big Bills come up from the Commons that something above unheroic, but very useful, gas and water measures claims their attention. They therefore may be said to have "got no work to do" for most of the Session, and then



in its concluding weeks there come tumbling into them from the Lower House numerous Bills which they are expected to dispose of—by accepting them—with lightning rapidity.

But let us suppose that we have been so fortunate as to have obtained an order for admission to the House of Lords on a night when the sitting will last for several hours. We enter the Palace of Westminster by the imposing Gothic doorway in Old Palace Yard, opposite St. Margaret's Church. Passing through the long, magnificent hall, known as "St. Stephen's Hall" (the site of the old House of Commons), with its fine marble statues of Hampden, Selden, Chatham, Burke, Pitt, Grattan, and other national heroes of Parliamentary renown, we reach what is called the Central Hall—to which the public are admitted to interview members when Parliament is sitting—with its tessellated floor, its lofty groined roof, its harmonies of gold and colours, and statues of those later-day statesmen and political leaders, Earl Granville, Sir Stafford Northcote, and Lord John Russell. To our left is the entrance to the House of Commons; to our right the corridor leading to the House of Lords. Turning, then, to the right, and showing our orders of admission to the vigilant policeman on duty, we pass down the corridor, admiring, on the way, the beautiful historical frescoes with which its walls are embellished, and soon find ourselves in the lobby of the House of Lords.

As it is not yet the quarter past four o'clock, the hour the House opens, we wait for a few minutes in the lobby to look around us and watch the arrival of the peers. The lobby, like the more famous lobby of the House of Commons, is a fine, commodious, square-shapen

ante-chamber. The walls, with their unglazed Gothic windows, are decorated to the groined roof, with coloured armorial bearings and other heraldic devices. Those magnificently wrought brass gates, bolted and barred, at the far end of the lobby, guard the entrance to the peers' Chamber. The lobby is also used as a cloak-room by the Lords, for note the brass hat and coat stands at either side with a card over each peg containing the name of a peer. While we wait in the lobby several Lords arrive. They have a private entrance from Old Palace Yard, close to the gigantic equestrian statue of Richard the Lion-hearted ; but evidently most of them prefer to reach their Chamber by the public way which we ourselves traversed. Having divested themselves of their overcoats, with the aid of attendants in evening dress (distinguished, as in the House of Commons, by the broad bronze chains they wear across their breasts), their lordships disappear through doors leading from the lobby to their private quarters.

At a quarter past four o'clock the large brass gates are flung open, and at the same time we are directed to the staircase leading to the strangers' gallery. On our way up we see the following warning painted in bold letters on the wall :

NOTICE.—Strangers are cautioned that demonstrations in the Gallery are out of order, and must be treated accordingly.

Here we are now in the gallery, which consists of six or eight tiers of benches, rising one above the other. Unlike the House of Commons, where the absurd arrangement of different galleries for the sexes prevail, ladies and gentlemen sit here together. Indeed, as the

night advances we shall notice several other instances of a robust common-sense, or a less stickling for empty forms and etiquette, on the part of the Lords as compared with the Commons.

The Lord Chancellor walks into the Chamber without any ceremony, save that he is attended by the Macebearer, by "Black Rod"—the Mercury of the House of Lords—and by the Pursebearer, who carries in his hand a richly embroidered satchel, which is supposed to, but as a matter of fact does not, contain the Great Seal of England. In the Commons, the advent of the Speaker is, as we have seen, heralded by messengers and policemen shouting in stentorian tones: "Way for the Speaker; way for the Speaker," in the lobbies and corridors through which the right honourable gentleman passes on his way to the House; and entering the Chamber through a door at its end, he solemnly moves up the floor, attended by the Serjeant-at-Arms, and his chaplain, making, on the way, three low obeisances to the Chair. But the Lord Chancellor slips into the House of Lords, unannounced, from the robing-rooms, immediately behind the Throne, and takes his seat on the Woolsack—a crimson lounge or ottoman, of ample dimensions, stuffed with wool (a survival of the time long, long ago when wool was the staple trade of England) on which, behind him, have also been placed the Sachet of the Great Seal—the symbol of his power and authority—and the mace, which indicates that the House is sitting. The Lord Chancellor, like the Speaker, wears a big wig, the ample wings of which fall down over his shoulders, and a loose, flowing black gown, beneath which you can see his knee-breeches, black silk hose, and low shoes with silver buckles.

As a rule, no business is done until half-past four o'clock. The mighty and solemn Lord Chancellor during these fifteen minutes relaxes his ponderous strength and brings himself, as it were, into relations with ordinary humanity. He sits "twirling his thumbs," smiling blandly at large over the Chamber, or nodding genially to Lords as they arrive, or perhaps a peer joins him familiarly on the Woolsack for a chat. Let us meanwhile inspect the Chamber. It is about 100 feet long; and probably 50 feet wide. Though glowing in gold and colours, the effect is not garish, for the hues of the superb decorations are subdued and harmoniously blended with rare artistic skill. The solemn stillness and the subdued light of a cathedral—"dim and yellow," as Shelley found it at Milan—prevail; and one experiences that sense of reverence which attends a walk through the aisles of some ancient sacred edifice. Everything one sees heightens this impression. The afternoon twilight falls softly through lofty stained-glass windows, with bright-hued figures of the kings and queens of England from the time of William the Conqueror. As the flattering artist has made them look like saints in their antique garments, and with their sceptres in their hands, they gaze down at us with an other-world air which is most edifying. In niches between the windows are large dark figures of some of the bold, and—many of them—wicked barons who wrested Magna Charta from King John; and they, too, look like so many patriarchs and prophets. At the end of the Chamber there is the imposing canopied Throne, gorgeous in gold, which the Queen occupies when she opens Parliament in person. Above the Throne, set in archways, with elaborate gilt mouldings, are three magnificent frescoes

depicting incidents in English history. The centre one is "The Baptism of Ethelbert," and on either side are "Edward III. conferring the Order of the Garter on Edward the Black Prince," and "Henry, Prince of Wales, committed to prison for assaulting Judge Gascoigne." Behind the strangers' gallery are three other frescoes of the spirits that are supposed to reign over the deliberation of the peers—"Religion," "Chivalry," and "Love."

The Throne is cut off from the Chamber by an ornamental brass railing. Immediately inside this railing is the Woolsack, occupied by the Lord Chancellor. In front of him are two other crimson lounges, then the table, containing volumes on Parliamentary procedure, and writing materials, with the three clerks in wigs and gowns, sitting at the far end, facing the Lord Chancellor, and with their backs, therefore, turned to the strangers' gallery. Then there is a desk for the reporters of the Parliamentary debates, who relieve each other every quarter of an hour. Nearer to the strangers' gallery again, in the centre of the floor, are three or four benches facing the Lord Chancellor, which are known as "the cross benches." On the first of these benches sit the Prince of Wales, the Duke of York, the Duke of Cambridge, and the other peers of royal blood when present in the House. The remaining benches are used by peers of "cross-bench mind" (as Earl Granville once happily described them), who owe no allegiance to either of the two great political parties. Behind "the cross benches," and under the strangers' gallery, is the place known as "the Bar," where Mr. Speaker and the members of the House of Commons stand when they are summoned by "Black Rod" to the House of Lords.

The main benches, which are upholstered in vivid crimson leather, run up on either side, in five rows from the floor, as in the House of Commons, except that they are divided at each side into sections by two gangways. The walls, to a height of about ten feet, are lined with an oak framing, artistically carved, and containing shields with the armorial bearings of the various Lord Chancellors. Then a light gallery runs round the Chamber, immediately under the windows, for the accommodation of peeresses and the unmarried daughters of peers. Another gallery, just beneath the strangers' gallery, is used by journalists; and at either side of the reporters' gallery are two other small galleries for members of the House of Commons, who fail to find room at the Bar. The roof of the Chamber is horizontal. It is divided by moulded tiles into compartments, each of which has a coloured heraldic device on an azure ground. Two massive brass candelabra, with elaborate branches, fitted with wax candles, stand at either side behind the Wool-sack. The candles are for ornament, and not for use. The Chamber is illuminated by six clusters of electric lights, dependent from the roof. When these brilliant lights are turned on, the House of Lords, with its broad and lofty proportions, its fretted roof, its crimson benches, its magnificent oak carvings, its stained-glass windows, its frescoes and statues, its majestic Throne, its blaze of gold, its wealth of colours, looks, indeed, a splendid and imposing Chamber.

There are about five hundred and seventy peers in the House, but the number constantly fluctuates. Unlike the House of Commons, where forty members must be present to "make a House," three peers form a quorum, but if it should appear on a division that thirty lords are not

in attendance, the question is declared not decided. The two parties cross the floor, as in the House of Commons, on a change of Ministry, the "ins" sitting on the benches to the right of the Lord Chancellor, and the "outs" occupying the benches to his lordship's left. There are also two "front benches," with the table between them. The Leader of the House and his colleagues sit on the front bench to the right of the Woolsack, and the Leader of the Opposition and the ex-Ministers on the front bench to the left. The Lords spiritual, however, always occupy the same benches on the Government side of the House, near to the Throne, no matter which party may be in office. The twenty-six spiritual peers—the Archbishops of Canterbury and York, and twenty-four bishops—are picturesquely distinguished from the Lords temporal by their full and flowing black gowns, and their ample lawn sleeves. A notion still widely prevails among the people that in the House of Lords the peers are always clad in magnificent robes, and that each wears a gold coronet flashing with jewels upon his head. Of course that impression is erroneous. The Lords wear sober suits of customary black, like ordinary mortals, except at the opening of Parliament by the Sovereign, when they appear in scarlet robes, slashed across the breast with stripes of ermine, few or numerous according to the low or high degree of the wearer in the peerage. But the gold coronets, flashing with jewels, are figments of the popular imagination. At least, they are never seen in the House of Lords. The Lords temporal are divided into princes of the royal blood (peers who are near relations to the Sovereign), dukes, marquises, earls, viscounts, and barons—titles which take precedence in the order given—and certain benches are allotted

to each of these grades of the peerage. However, except when Parliament is opened by the Sovereign, this arrangement of the peers according to rank on the benches is not observed. Their lordships sit indiscriminately on the right or on the left of the Lord Chancellor, according as they belong to the party that is "in" or "out."

Debates in the House of Lords are brief in duration, and are, as a rule, sustained throughout at a higher level of ability than in the House of Commons. Greater and more eloquent speeches are, it is true, made in the representative Chamber; but there are also long intervals of dull and pointless talk during a debate. In the hereditary Chamber, on the other hand, only the ablest and most distinguished peers take part in a discussion; and all the speeches impress the listener with the sense that those who deliver them speak because they have really something to say, and not—as is too often the case in the House of Commons—because they have to say something in order to get their names into the newspapers. Consequently not more than two dozen peers are known by reputation to even the most assiduous readers of the reports of the proceedings in the House of Lords. And how quietly and reposefully debate is conducted here! To one accustomed to listen to discussions in the House of Commons, where the speeches of the leaders on important occasions are followed with the keenest interest, and punctuated with cheers and counter cheers, with loud-voiced expressions of dissent or approbation, and perhaps with disorderly interruptions or uproarious laughter—the gentle and more decorous controversies of the House of Lords, the calm, serene atmosphere of the Chamber, the staid gravity or lounging listlessness of its members,



the absence of any appearance of concentration, even when great party questions are being discussed, seem strange and unreal. The peers appear to think it bad form to disturb the solemnity of the Chamber by anything louder than an occasional faint and perfectly polite laugh, or a low murmur of "Hear, hear," which does duty for an approving cheer. It is not, indeed, an exhilarating atmosphere up here in the House of Lords, and if Lord Rosebery and Lord Salisbury needed the enthusiastic applause of supporters to nerve them to high oratorical flights, they could never have earned their well-deserved reputations as Parliamentary debaters.

The difference between the House of Commons and the House of Lords is vividly presented in the diary of the late Earl of Shaftesbury, who had had the advantage of many years' experience in the House of Commons as Lord Ashley, before he was called to the Upper Chamber on the death of his father. He took his seat in the House of Lords on June 23, 1851, and on the evening of that day he wrote in his diary :

It seems no place for me ; a "statue gallery," some say a "dormitory." Full half a dozen peers said to me within as many minutes, "You'll find this very different from the House of Commons. We have no orders, no rules, no sympathies to be stirred." Shall I ever be able to do *anything* ? They are cold, short, and impatient. But God has willed it, and I must, and by His grace, will do my duty.

He spoke the very next day—briefly and with apologies for having addressed their lordships so soon after his call to the House—on the second reading of his Bill for the inspection and registration of lodging-houses, which he had carried through all its stages in

the House of Commons, and was now—an unprecedented occurrence—to conduct through all its stages in the House of Lords. In the course of the debate which ensued the Marquis of Lansdowne expressed the hope that the Earl of Shaftesbury might pursue in the House of Lords the career of philanthropy and social reform he had followed in the House of Commons. Commenting on this in his diary the earl writes :

It is, however, a totally different thing and far less stirring, far less gratifying. Success here is but a shadow of success there, and little can be gained, little attempted . . . One of the most striking effects to me on removal from the House of Commons is my absolute ignorance of the political movements, thoughts, and facts of the day. Everything of importance revolves round the centre of the Commons' House. Unless you be there to see it, hear it, feel it, you get it at second-hand, and then only half.

Two days later (June 27) he writes :

The difficulties of the House of Lords seem to thicken as I survey them. Everything must be done between five and half-past six, or you will have no auditory ; consequently there is an unseemly scramble for the precedence, and a terrible impatience after you have got it. Yet I have received many expressions, and heard of more, that I should rouse them, and give them business to do, and in some measure "popularise" the House.

He achieved one success at any rate. On July 8 he made a speech in favour of giving to local authorities powers for the erection of model lodging-houses, which was well received and even cheered. "My surprise knew no bounds," he writes, "I had warmed Nova Zembla !"

But it is not alone the difference in the demeanour of their respective members that accentuates the contrast between the two Chambers. In forms of procedure also there is occasionally a wide divergence between the House of Commons and the House of Lords. Notice that the Lord Chancellor has risen to speak, and that he moves away from the Woolsack before opening his lips. There is a special significance in that movement. It is enjoined by one of the orders of the House, that if the Lord Chancellor intends to speak on any question for himself, and not as the "Mouth of the House," he is to go to his own place as a peer. Hence, the Lord Chancellor's action in stepping aside from the Woolsack. Although the Lord Chancellor presides over the deliberations of the House of Lords, his duties and powers differ widely from those exercised by the Speaker of the House of Commons. The Speaker must be a member of the House of Commons, returned by some constituency in the prescribed manner. The Lord Chancellor need not necessarily be, although he now always is, a peer. Lord Brougham presided over the House of Lords in November 1830, when the patent of his creation as a peer had not yet been issued. In the House of Commons a member speaking, addresses "Mr. Speaker;" in the House of Lords it is not the Lord Chancellor who is addressed, but the whole House—"My Lords."

The Speaker is the sole judge of all questions of order in the House of Commons; in the House of Lords such matters, when there is a conflict of opinion, are decided by the whole House, and not by the Lord Chancellor. If several members of the House of Commons rise simultaneously to take part in a debate, the Speaker

decides who shall speak first by naming one of them. But if two or more peers rise together in the House of Lords, the Lord Chancellor cannot decide who shall first be heard. It is the voice of the House which determines that question, the presiding Lord Chancellor, powerless to interpose, looking silently on at the scene with severe solemnity.

Happily, etiquette is so strong in the Upper Chamber that it rarely happens when the House by cries expresses its desire to hear one of the peers contending for its ear that the others do not give way. But some years ago there was a notable scene involving a party wrangle over the question which of two peers who had risen simultaneously, one from the Liberal benches and the other from the Tory benches, should speak first. Neither noble lord would give way, and to bring the curious situation to an end, Earl Granville moved that the Liberal peer be heard. The House divided on the motion; and decided by a big majority that the Tory peer should be the first to speak. It is difficult for the average man to understand why the Lord Chancellor should not be able to exercise the authority which is vested in the chairman of every public meeting of determining the order in which those desirous of taking part in debate shall address the assembly. But there is a subtle constitutional point involved in this apparently ridiculous procedure. All peers are equal as legislators in the House of Lords. No one of them can be vested with authority over the others. Therefore, when a point of order is involved it is the whole House, and not the Lord Chancellor, that must decide the issue.

If the proceedings become very disorderly, all that the

procedure of the House provides for the quelling of the disturbance, is the reading by the Clerk—on the motion of a peer—of two old Standing Orders in relation to asperity of speech and quarrels in the Chamber. During the tumultuous scene in the Chamber on April 22, 1831—the day Parliament was prorogued with a view to a dissolution on the Reform Bill—a peer moved that the Standing Orders be read; but in the uproar and confusion no heed was paid to the motion. Some angry debates occurred in Committee on the Ballot Bill in 1872, and a motion was again made to have the Standing Orders read. The Clerk did read them this time, and when he concluded, the debate was resumed in a more amicable spirit.

The first Standing Order which was passed so long ago as June 13, 1626, says :

To prevent misunderstanding, and for avoiding of offensive speeches, when matters are debating, either in the House or at Committees, it is for honour sake thought fit and so ordered that all personal, sharp or taxing speeches be forborn, and whosoever answereth another man's speech shall apply his answer to the matter without wrong to the person : and as nothing offensive is to be spoken, so nothing is to be ill taken, if the party that speaks it shall presently make a fair exposition, or clear denial of the words that might bear any ill construction ; and if any offence be given in that kind, as the House itself will be very sensible thereof, so it will sharply censure the offender, and give the party offended a fit reparation and a full satisfaction.

The second Standing Order, which was passed August 9, 1641, says :

For avoiding of all mistakes, unkindnesses, or other

differences which may grow to quarrels, tending to the breach of peace, it is ordered, that if any lord shall conceive himself to have received any affront or injury from any other member of the House, either in the Parliament House or at any Committee, or in any of the rooms belonging to the Lords' House of Parliament, he shall appeal to the Lords in Parliament for his reparation, which if he shall not do, but occasion or entertain quarrels, declining the justice of the House, then the lord that shall be found therein delinquent shall undergo the severe censure of the Lords' House of Parliament.

Another distinction between the Speaker and the Lord Chancellor is that while the Speaker cannot take part in debate—he must not sway the House by argument, as the old order has it—the Lord Chancellor, who is always a member of the Cabinet, joins in every important debate in the interest of the Government. The Speaker is debarred from voting in a division; but the vote of the Lord Chancellor is taken, though he does not pass through the division lobby like the other peers. The Lord Chancellor, however, has no casting vote; and if the members in a division are equal, the “Non-Contents”—or those who support the negative—prevail. In the House of Commons, the issue in a like contingency would be decided by the casting vote of the Speaker.

But the Lord Chancellor has finished his speech, and has returned to his seat on the Woolsack. As no other peer desires to continue the discussion, the Lord Chancellor rises to discharge the only function of a chairman which, it seems, comes within his duties—the function of “putting the question.” This is done in the same form as in the House of Commons, save that “content”

is used for "aye" and "non-content" for "no." "As many as are of that opinion say 'content,'" says the Lord Chancellor, "the contrary 'non-content.'" A division is challenged on the motion. "The Contents will go to the right of the Throne," continues the Lord Chancellor; "and the Non-Contents to the left of the Bar." Tellers are appointed, two on each side, carrying white wands, and the peers pass through the division lobbies just outside the Chamber to have their votes counted and recorded, as in the House of Commons. The division occupies between five and ten minutes. When the tellers return to the Chamber, a slip of paper containing the numbers is given by the Clerk to one of the tellers on the winning side, who announces them to be: "Contents, 89; Non-Contents, 16." "The Contents have it," says the Lord Chancellor, and so the motion is carried. In another minute the "Gilded Chamber" is deserted.

## CHAPTER XVI

THE HOUSE OF LORDS AS A COURT OF  
APPEAL

THERE is one aspect of the House of Lords with which the public, generally speaking, is unfamiliar, and that is when it sits as the Supreme Court of Appeal from the Courts of Justice of the United Kingdom. The House of Lords is the ultimate resort of the suitor who feels that an injustice has been done him by the decision of any of the law courts. In such a matter its judgment is final and irrevocable.

Every peer has, in theory, the right to take part in the proceedings of the House of Lords whether it sits as a Court of Appeal or as a branch of the Legislature, but lay peers have long since ceased to interfere in the appellate jurisdiction of the House over the judgments of the law courts. These functions have practically, since the Revolution, been solely discharged by law lords. But by an Act passed in 1824 every lay peer was bound to attend the House when it sat as a Court of Appeal, at least once in a Session, under a penalty of £50. Three lords constitute a House for judicial as well as for legislative purposes; and the object of the statute in compelling the attendance of lay peers by rotation was to secure a quorum for appellate business. The Court often consisted of the Lord Chancellor or



some other law lord and two lay peers, but the decision in the appeal was left entirely to the law lord. The lay peers were simply dumb figures brought in to comply with the Standing Order, which requires the presence of three lords before business can be proceeded with. They were not permitted to take any part in the determination of the matter heard before them.

It was not a satisfactory condition of affairs which thus left to one lord the final decision of the important question, whether the court of justice from which the appeal was taken was right or wrong in its judgment. But that was not all. The High Court of Parliament was said to be open to every one who felt aggrieved by the verdict of a law court. There is something noble and inspiring in this idea of Parliament being ever ready to redress any injustice that may have been committed in the administration of the law; but what a mockery and a delusion it proved to the suitor who on appealing to Parliament to correct the errors in law of the Lord Chancellor in the Court of Chancery, found Parliament represented by the very same judge by whose judgment he felt he was sorely wronged.

Several unsuccessful attempts were made in recent years to remedy this state of things before a satisfactory solution was found. With a view to strengthening the legal element in the House by increasing the number of lords who had been judges of the High Courts, the Queen, on the advice of Lord Palmerston's Government, in 1856 revived the dignity of life peers which had been long in abeyance, and created Sir John Parke, formerly one of the Barons of the Exchequer, Baron Wensleydale "for and during the term of his natural life." The House of Lords, however, decided that the title did not

carry with it the right to sit or vote in the House ; and a hereditary peerage had to be conferred on Baron Wensleydale before he could take part in the hearing of appellate business.

So matters remained until 1872, when Lord Hatherley, the Lord Chancellor of Mr. Gladstone's administration, brought in a Bill to abolish the appellate jurisdiction of the Lords, as well as of the Judicial Committee of the Privy Council, which hears appeals from Colonial law courts, and to create instead an Imperial Supreme Court of Appeal. The feeling among the Lords was strongly against any invasion of their ancient privilege to revise on appeal the judgments of the courts of law, and the Bill consequently had to be withdrawn. But in the following year Lord Selborne—who succeeded to the Woolsack in the same Administration on the resignation of Lord Hatherley owing to failing eyesight—introduced another Supreme Court of Judicature Bill, which passed both Houses. The Lords had now surrendered by Act of Parliament their ancient appellate jurisdiction. However, they soon regretted their action, but not too late to recall it. Before the Act could come into operation feeling turned against it, and it was allowed to remain a dead letter. In 1876 Lord Cairns, then the Lord Chancellor of Mr. Disraeli's Administration, introduced the Appellate Jurisdiction Act, which is now in operation. By this statute the appellate jurisdiction of the House of Lords was restored, or rather preserved, and its efficiency as a Court of Appeal improved.

The House sitting as a Court of Appeal was formerly constituted, as we have seen, of one law lord and two lay peers. The Act of 1876 provides that at least three

law lords shall be present at the hearing and determination of appeals. Law lords are of three kinds :—(1) the Lord Chancellor of Great Britain, for the time being ; (2) peers of Parliament who have held high judicial office—that is, have been Lord Chancellor of Great Britain or Ireland, or a judge of one of the superior courts of England, Ireland, or Scotland ; or a member of the Judicial Committee of the Privy Council ; and (3) four Lords of Appeal in Ordinary.

The Lords of Appeal in Ordinary were specially created by the Act to assist the House in the discharge of its judicial functions. The qualification required of a Lord of Appeal in Ordinary is that he has held high judicial office for not less than two years, or that for not less than fifteen years he has been a practising barrister in England or Ireland, or a practising advocate in Scotland. There is a salary of £6000 a year, and the rank of a baron for life, attached to the office. A Lord of Appeal in Ordinary also receives a writ of summons to sit and vote as a peer in the House of Lords, sitting as a branch of the Legislature ; but his dignity as a Lord of Parliament does not descend to his heir.

The Lord Chancellor, and, in his absence, the senior law lord present, presides when the House sits for the hearing of appeals. Lay peers may attend if they please. Indeed, there is nothing in the Constitution to prevent them from voting when the time comes for the House to decide whether the appeal shall be dismissed, or the decision of the court below reversed. But the hearing of appeals, as well as the decision, is now left entirely to the law lords.

An appeal to the House of Lords may be made from

any order or judgment of the Court of Appeal in England, the Court of Appeal in Ireland, or the Court of Session in Scotland, in a civil suit. Before the case has reached any of these courts, it must, of course, have been heard and decided in another tribunal; so that the question at issue has been the subject of a judgment in at least two courts—the court in which the suit originated and the Court of Appeal—ere it comes finally before the House of Lords. If the party who has lost in the Court of Appeal has his faith in the justice of his cause still unshaken, or is advised by his counsel that the decision of the court is against the law, he may obtain from the House of Lords a definite, fixed, and final judgment on the legal point at issue. This unquestionable interpretation of the law by the highest legal luminaries of the land is an expensive luxury. The appellant who seeks to have the decision of the court below reversed or varied, must give, as security for costs—should the judgment of the House of Lords be against him—his recognizance, or personal obligation to the amount of £500, and the bond of a surety for £200. The respondent, or the party who defends the judgment of the Court of Appeal—which has been given in his favour—is not required to give security for costs, but if the decision of the House is against him, he may be required to bear portion of the expenses of the appellant.

But giving security for costs is not the only preliminary required of the appellant. An appeal to the House of Lords is brought by way of petition. It must be addressed “to the Right Honourable the House of Lords,” and set forth that it is “the humble petition and appeal” of So-and-so, praying that the

judgment in such-and-such a case "may be reviewed before her Majesty the Queen in her Court of Parliament, in order that the said court may determine what of right and according to the law and custom of this realm ought to be done in the subject-matter of such appeal." The petition must be printed on parchment, and the reasonableness of its prayer must be certified by two counsel, who have either appeared for the appellant before the Court of Appeal, or propose to plead for him before the House of Lords. Forty copies of the respective cases of the appellant and the respondent, which form the subject-matter of the appeal, printed in clear type on quarto sheets, and bound in book form, at the expense of the appellant, must be lodged with the petition in the office of the House of Lords; and it is also required that ten copies of the book be bound in purple cloth for the use of the law lords.

The House of Lords sits as a Court of Appeal—unaffected by the prorogation or even the dissolution of Parliament—on Mondays, Tuesdays, Thursdays, and Fridays throughout the legal year, if, of course, there is business to be done, from half-past ten in the morning till four in the afternoon. The public are admitted to the House. It is, however, seldom that a visitor, inspired solely by curiosity, makes his way there, and yet it is a very interesting experience. The House of Lords sitting as a Court of Appeal is, in its composition, its procedure, and its environment, utterly unlike any other court of justice in the land. The Lord Chancellor enters the Chamber at half-past ten in his long flowing robe and full-bottomed wig. He is preceded by the Serjeant-at-Arms, bearing the Mace on

his shoulder, and by the Pursebearer, carrying the gorgeously-embroidered satchel which is supposed to hold the Great Seal, of which the Lord Chancellor is the Lord-keeper. The Lord Chancellor takes his seat on the Woolsack, and the Mace is placed behind him to indicate that the House is sitting. The proceedings of the House always open with devotions. When the House meets for legislative business, prayers for the Queen and for light and leading in the deliberations are recited by one of the bishops. Similar invocations are now read by the Lord Chancellor, and the responses are given by the other law lords.

But the doors of the Chamber have not yet been opened for the litigants and their counsel. Besides the Lord Chancellor and the law lords, the only persons present at devotions are the Serjeant-at-Arms, one of the three clerks of the House, who takes minutes of its proceedings, orders, and judgments, and the Yeoman Usher of the Black Rod. After prayers, the clerk reads the title of the first case on the list. "Call in the parties in the case," says the Lord Chancellor to the Yeoman Usher, and the doors are thereupon thrown open. The lawyers, litigants, and general public assemble at the Bar, which is marked by a low oak partition running across the Chamber immediately inside the portals. In the centre there is a sort of pen, enclosed by a light rail, in which the Speaker stands when the Commons are summoned by "Black Rod" to the House of Lords; and here the counsel for both the appellant and the respondent and their solicitors instructing them are accommodated. The Lord Chancellor comes down from the Woolsack, when the doors of the Chamber are opened, and takes his seat at a

temporary table spread with a scarlet cloth, placed nearer to the Bar than the massive table between the two front benches which is used by the clerks. The other law lords sit on the front benches close to the Bar, each with a small movable table before him containing pens, ink, and paper, and the purple-bound book in which the proofs whereon the rival parties in the suit respectively rely are given in a clear and compact form. Unlike the Lord Chancellor, their lordships are without wigs and gowns, and in ordinary morning attire.

The case opens at once. No preliminary objections of a technical nature or applications for adjournment are allowed. Such points are previously dealt with by a committee of the House called the Appeal Committee, which is appointed at the opening of every session to relieve the House, sitting as a Court of Appeal, of the work of seeing that the Standing Orders have been complied with by appellants, and of dealing with respondents' objections to the appeal or applications for an extension of time. There is no bustle and no excitement. Gravity, dignity, and decorum reign supreme. No witnesses are examined, and there is no jury. Brow-beating is therefore unknown in the House of Lords, and dialectic sparring between opposing lawyers would be undignified and ineffectual before the highest legal luminaries in the realm.

An absolute rule of the House is that only two counsel can be heard on each side. The lawyer addressing the House stands at the centre of the Bar, and lays down, in a placid, conversational style, the facts of the case, and the points of law on which he relies for a judgment. There is no hurry in this grave and solemn tribunal. Counsel leisurely unfolds the case of his

client, or supports it, and his long and apparently interminable address is listened to with unwearied patience and the closest attention by the law lords. The calm serenity of the atmosphere of the House, and the cool, dispassionate deliberation of the judges, soothe you, even if you be an anxious and excited party in a case.

Judgment is not delivered at the close of the arguments. Knotty legal problems, or delicate and difficult points of equity, are always involved in these appeals, and plenty of time is therefore taken by their lordships to consider their judgment. When at last their lordships have made up their minds, the agents in the case are informed of the day on which the House will deliver its decision.

The Chamber does not display on the day of judgment quite the same aspect that it wore on the day the arguments were heard. The law lords are again sitting on the front benches close to the Bar, with their little tables in front of them; but the Lord Chancellor is now on the Woolsack. In a moment he rises, and advancing to the Clerk's table, reads from a manuscript his judgment, concluding by moving that the order or verdict appealed from be affirmed, altered, or reversed, as the case may be. He is followed by the other law lords, in the order of precedence, each in like manner reading from a manuscript reasons justifying the decision at which he has arrived. It will be noticed that all begin their addresses with the phrase "My lords." It is another of the fictions of the House that they are not judges delivering judgment in a case, but members of a deliberative assembly stating in debate the reasons why the House should take a certain course on the question before it.



When all the law lords have spoken, the question is put in the same form as if the House were sitting for legislative purposes. If the Lord Chancellor has arrived at a decision hostile to the appellant, he says: "The question is that this appeal be dismissed. As many as are of that opinion will say 'content'; and of the contrary opinion 'non-content';" and he adds, "the Contents have it." As a rule, the law lords come to the same conclusion in an appeal. But should there be a difference of opinion, judgment is given according to the views of the majority. The Lord Chancellor finally declares: "The judgment of the House is that this appeal be dismissed, and that the appellant do pay the respondent's costs in the appeal."

The judgment thus pronounced is the judgment of the whole House, and it is entered as such on the Lords' journals. It defines and fixes the law. It is the last word on the tangled legal point at issue. The fiat is irrevocable.

## CHAPTER XVII

## THE REPORTERS' GALLERY

CHARLES GREVILLE, that entertaining gossip in regard to the political and social events of his long day, writing on February 15, 1835, describing the first visit he paid to the Palace of Westminster, after the disastrous fire of 1834, says :

I went yesterday to see the two Houses of Parliament. The old House of Lords (now House of Commons) is very spacious and convenient. For the first time there is a gallery in the House of Commons reserved for reporters, which is quite inconsistent with their Standing Orders, and the prohibition which still in form exists against publishing the debates. It is a sort of public and avowed homage to opinion, and a recognition of the right of the people to know through the medium of the Press all that passes within those walls.

The history of the evolution of that reporters' gallery of the House of Commons is one of the most interesting chapters in the annals of the British Parliament. One of the Standing Orders of the House declares : "It is a breach of privilege for any person whatever to print or publish in print anything relating to the proceedings in either House." That regulation, which was passed early in the seventeenth century, has never been repealed. It

still remains on the Journals of the House, but it is now as inoperative and ineffectual as if it had been erased out of existence by a solemn resolution of the House.

Macaulay truly says that the secrecy of Parliamentary debates, which would now be a grievance more intolerable than shipmoney or the Star Chamber, was, before the Revolution of 1688, inseparably associated with constitutional freedom. It was a precaution devised to protect the patriots against the displeasure of the Court. In 1641 the House, actuated, no doubt, by this praiseworthy motive, passed a resolution making it a breach of privilege for a member to deliver out a copy, or any notes, of anything that was brought into the House, or propounded or agitated there. In the very next year, this resolution was violated by Sir Edward Dearing, a member of the House, who published a collection of speeches. The most dire results followed. The House solemnly declared by resolution that the publication of the book was an outrage on its dignity, and a breach of its privileges. The common hangman was ordered to burn the book publicly, and the offending member was committed to the Tower.

But, in later times, the feelings of the House against the publication of reports of its proceedings seem to have been based on the assumption that Parliament was above criticism. It was intensely jealous of its authority, and resentful of any popular or outside influence being brought to bear upon it. In 1738, the practice of inserting accounts of the doings of the House in the newspapers—a practice then growing in popular favour with the public—was denounced by Mr. Speaker as one which “reflected on the dignity of the House.” Another member said that if the publication of such

reports were not sternly repressed, "Parliament when they did amiss would be talked of with the same freedom as any other set of men whatever," and Sir Robert Walpole declared that if the debates were hawked up and down the streets for sale, the House would be looked upon as the most contemptible legislative assembly on the face of the earth.

This debate had reference to the *Gentleman's Magazine*, which made the reporting of Parliamentary proceedings one of its main features. Its editor, Edward Cave, was brought to the Bar of the House and condemned to fine and imprisonment for his contumacy. But the reporting of the debates went on nevertheless. The *Gentleman's Magazine*, so as to evade the Standing Order, adopted the expedient of heading the reports—"Debates in the Senate of Great Lilliput," and giving only the first and last letter of a member's name with a — between. Later on Dr. Samuel Johnson was one of the Parliamentary reporters of this magazine, and by his reports made the oratorical reputation of some of the Parliamentarians of the eighteenth century. "The eloquence of Greece and Rome is revived in the British Senate," said Voltaire. The great French philosopher had probably read some of the speeches written by Johnson, in a garret off the Strand, without ever having visited Westminster. Johnson also confessed to Boswell, that in the preparation of his Parliamentary reports he "took care that the Whig dogs should not have the best of it," which explains the mystery Sir Robert Walpole declared to the House he found it impossible to unravel. "He had read," he said, "professed debates of the House, wherein all the wit, learning, and argument appeared on one side, and on the other nothing was

shown but what was low, mean, and ridiculous ; and yet, strange to say, the division had gone against the side which, according to the report, had reason and justice to support it." Though, for the matter of that, the division goes, even in these days, with the big battalions, without any reference to the right or the wrong of the question at issue.

In the early part of the present century, to go no farther back, a newspaper representative in the House of Commons was looked upon as a pernicious interloper and eavesdropper. It was only by bribing or "tipping" the doorkeepers that an editor of a London daily journal, in the first quarter of the century, was able to obtain a seat for his reporter in the strangers' gallery. When inside, the reporter had to take fugitive notes by stealth, for if he were observed from the floor of the House he ran the risk of being expelled, or of being brought by the Serjeant-at-Arms to the Bar, charged with a breach of the Orders of the House against the publication of its proceedings. From this downright aversion and hostility to its proceedings being published, the House, in time, passed to a stage of winking at the process. Then came a tolerant recognition of the presence of reporters in the strangers' galleries, which in due course was followed by official sanction, till the present happy condition of things was reached, when statesmen, leaders of parties, and private members look up to the reporters' gallery with wooing eyes.

A small gallery was, as we learn from Greville, specially provided for reporters in the temporary House of Commons after the fire of 1834. In the new House of Commons—the present Chamber—which was opened early in the 'fifties, the journalists were also allotted a

gallery, but it was not till a quarter of a century subsequently that any accommodation for the transcription of shorthand notes by the reporters was provided in the Palace of Westminster. A reporter after his half-hour or hour "turn" at note-taking, had in those days to rush off to the office in Fleet Street, if he were on a London daily, or to a room in a neighbouring tavern, if he were attached to a provincial corps, to write out his report; and, besides, no refreshments could be obtained at the House. Gradually that unsatisfactory condition of things was improved. One apartment was placed at the disposal of the journalists—a small room, in which they were able to obtain a slice of ham or a cut from a cold joint, but in which there was no accommodation for writing.

Up till 1880 most of the accommodation in the reporters' gallery was appropriated by the representatives of the London Press. But in that year the gallery was substantially enlarged, the leading newspapers of the provinces were allowed to send special corps of reporters to the gallery to look after their interests, and a fine suite of rooms in the Palace of Westminster was provided for the exclusive accommodation of the two hundred and sixty journalists, reporters, and descriptive writers who are now members of the reporters' gallery. The Parliamentary journalists therefore are to-day not only tolerated but petted; they have not only conveniences but comforts, and so, in the intervals between their "turns" of work, they can do the *dolce far niente* in what, to all intents and purposes, is a large and well-equipped club, which has been hospitably placed at their service by Parliament.

This remarkable change in the relations between the

representatives of the Press and the House of Commons is, of course, entirely due to two causes—to the natural desire of the public for news of the doings and sayings of their representatives at Westminster, and to the craving of the representatives to have their speeches reported. And yet the popularity of reports of Parliamentary speeches is rather on the wane. Twenty or thirty years ago, speeches delivered in the House of Commons, even by unimportant members, were reported at some length, and Ministers and ex-Ministers were always given absolutely *verbatim* by the London and the leading provincial daily papers. Now there are only about one hundred of the six hundred and seventy members of the House in whose speeches the public take any interest. The opinions of all the others are considered by most newspapers to be worthy only of a few lines in their Parliamentary reports. In fact, newspaper readers have developed a greater liking for that new departure in journalism—the vivid, impressionist, descriptive sketch of the proceedings in the House, which, as a rule, amply satisfies the desires of the public for Parliamentary intelligence; and if they turn at all to the report, it is only to ascertain more fully what has been said by the leading statesmen, or perhaps to peruse a more detailed account of a “scene,” or a heated wrangle across the floor of the House. Therefore, whereas formerly nearly all the members of the gallery were reporters, there has been in recent years a large influx of descriptive writers for the London and provincial newspapers.

Admission to the reporters' gallery is obtained only by tickets issued by the Serjeant-at-Arms, in a limited number, to the newspapers whose position and character

entitle them to representation in the gallery. The tickets are in this form :

REPORTERS' GALLERY,  
HOUSE OF COMMONS.

*Not Transferable.*

SESSION 1896.

MR. JONES ROBINSON,  
*The Watchdog.*

H. D. ERSKINE.

There are two means of access to the gallery—one by a staircase leading from the cloisters in Palace Yard, and the other through St. Stephen's Hall and over the long corridors containing the Committee-rooms. Before reaching the gallery, you pass through a number of rooms resounding with the click, click of several "sounder" telegraph instruments, and the bustle of messenger boys of the news agencies arranging writing materials or "flimsies" for the reporters, and carrying "copy" to and fro. Two doors—one at each end—give immediate access to the gallery, which is directly over the Speaker's Chair—a capital position, as members addressing the House always speak of course to the Chair, and are therefore facing the reporters in the gallery above.

On "a big night"—that is, a night on which there is an important and interesting debate, to be followed at midnight by a critical division—the gallery is thronged, and its crowded condition shows that its accommodation falls far short of the demands frequently made upon it. Some of the journalists stand in groups in the corners of



the gallery, and others sit on a bench, provided with a writing-desk or ledge, which runs round the gallery at the back, next to the oak-panelled wall. These men are, for the most part, descriptive writers. They occasionally take a note of a forcible or amusing point made by the right hon. gentleman—one of the great debaters—who is addressing the House, but they more eagerly watch the crowded and excited Chamber below for some incident which will enliven their graphic sketches. The audacity of these gentlemen's comments on the peculiarities, characteristics and eccentricities of members, in manner, speech and apparel, is sometimes almost sublime. One shudders to think of the fate of the unfortunate editor who would publish Parliamentary sketches of this kind, say in the year 1642. Death would undoubtedly have been the penalty. But it would be no ordinary execution. Some exquisite torture would be invented for the occasion, "something with boiling oil in it," as the "Mikado" would say.

In front of the gallery, and immediately overlooking the Chamber, are about thirty little boxes, occupied by the reporters, who are taking down in shorthand the speech in course of delivery. These boxes are allotted to the leading London and provincial daily papers, each of which maintains a corps of reporters in the gallery, and to the chief news agencies—the Press Association and the Central News—which supply reports to journals not specially represented in the House. The strength of a corps of reporters varies from five to eight men. The *Times*, however, never has less than fourteen men; and as it now supplies the report of the proceedings for "Hansard" (as the official record of the Parliamentary debates is popularly called), its staff numbers eighteen.

The reporters of the various corps who are in the boxes are taking what is called "a turn;" and when the "turn" (usually a quarter of an hour early in the sitting, and curtailed to ten minutes and then to five minutes as the night wanes) is over, they are relieved by other reporters, who go "on" for another fifteen, ten, or five minutes, as the case may be. By this system of "turns" the members of the various staffs follow each other in regular rotation, according to lists prepared by the chiefs of the corps.

His "turn" over, the reporter leaves the gallery for one of the four writing-rooms in that fine suite of apartments devoted to the journalists' exclusive use and benefit, immediately behind the gallery. The walls of the rooms are hung with portraits of famous old Parliamentary journalists who are now, let us hope, taking their ease in Paradise, and with photographic groups taken at the annual outing and dinner of the gallery men. They are large and comfortable, are well supplied with desks, chairs, ink, pens and stationery, and are illuminated by soft electric lights. In one room there is a useful collection of works of reference, volumes of "Hansard," Blue Books and other Parliamentary papers, and another apartment—intended for journalists who like to enjoy the fragrant weed during work—is a smoking-room and writing-room combined.

Here, then, the reporters transcribe their shorthand notes into longhand, and the descriptive writers compose their light and gossipy sketches. There is a good deal of unavoidable bustle in these rooms. Reporters come and go; so do messengers in the uniforms of the news agencies or newspapers, searching for "copy," which they carry off in instalments as it is written to the

newspaper offices in the Strand and Fleet Street; but the journalists are too much accustomed to turning out "copy" at a high pressure, and amid noise and excitement, to be disturbed or distracted by the bustle.

When the reporter has finished the transcription of his quarter-of-an-hour "turn"—which occupies him about half an hour, if the speech were made by some unimportant member, and between an hour and an hour and a half if he has to do a "verbatim" of fifteen minutes of Mr. Balfour, Mr. Chamberlain, or Sir William Harcourt—he is free until his time comes for another "turn." Meanwhile he may return to the gallery to listen to the debate, or rest himself in one of the recreation-rooms, or go into the dining-room and have his dinner, supplied at reasonable rates by a caterer who receives from Parliament the necessary kitchen accommodation, a subsidy of £50 on the making of the contract, and a yearly allowance of £25 for the renewal of plant. The reporter may repair also to a second smoking-room, where he can enjoy a smoke and a cup of coffee, with a game of chess or draughts, or a chat with colleagues, or the magazines or the daily and weekly papers with which the room is liberally supplied. There is also a cosy tea-room, provided with books and papers; and, finally, there is a bar and buffet, where one, if hard pressed for time, may hurriedly partake of light refreshments. The affairs of the gallery are managed by a committee, elected yearly by the members of the gallery.

It will be seen, from all this, that the position of the members of the reporters' gallery of the House of Commons is very comfortable compared with the lot of their predecessors who, in the old House that was burned down in 1834, were harried by officials, and

had to scramble for places with mere sightseers in the strangers' gallery. Indeed the gallery has since been elevated to the dignity of an Estate of the Realm. "There are three Estates in Parliament," said Macaulay once in a speech in the House of Commons, "but in the reporters' gallery yonder there sits a fourth Estate more important far than them all." This famous declaration is now regarded not as a mere figure of speech, but as the literal truth. The members of the third Estate on the floor of the House are most anxious to stand well with the members of the fourth Estate in the gallery above. Every facility is afforded the reporters for the easy, pleasant, and accurate discharge of their duties. A supply of Parliamentary papers, such as the "Orders of the Day," returns, Bills, amendments, papers, &c., are sent to the gallery by the authorities of the House. Members also are pleased to send up, if requested, their notes, or any quotation they may have used in the course of their speeches. Another instance of the cordial relations between the floor of the House and the gallery, is afforded by the fact that in one of the writing-rooms are to be found the answers to the questions asked at the opening of every sitting, which are kindly supplied by the Ministers themselves. This is a very important boon to the members of the gallery. Question-time sorely tries the brain and hand of the reporter. Ministers have always the answers to questions written out, and as a rule they run through them at such a rapid pace that the deftest pencil-propeller in the gallery often finds it difficult to get the words down on his note-book. Indeed, many a Ministerial answer to an important question would be lost altogether if the manuscript of the reply were not sent up to the gallery.

Visitors to the House may frequently see during the dinner-hour—that refuge of third-rate and prosy-talkers—an honourable member on his feet addressing an audience consisting only of the Speaker and the clerks at the table. But the honourable member is not in the least disconcerted by the meagreness of his audience. He has probably sent the manuscript of his speech to the local organ of his constituency, or is aware that the representative of that newspaper is in the gallery over the Speaker's Chair, taking every word of his address. He is sure, anyway, that his speech will be laid before “the free and independent” of his constituency, and why then should he care whether or not his colleagues listen to him?

“To be chattered about in the penny Press, is,” says a latter-day philosopher, “the nineteenth-century idea of immortality.” But this hankering after notoriety in the newspapers is most natural in—of all people—a member of Parliament. Publicity is the breath of his nostrils. If he does not keep his name continually before the eyes of his constituency, an outcry that he is a mere cipher, unable to do anything except to trudge through the division lobbies, will probably be raised against him; and a more active representative—*i.e.*, a man more glib with his tongue—will be looked for by the electors.

The interest with which Disraeli looked out for reports of his speeches in the early years of his Parliamentary career is manifest in his letters to his sister. He tells her, from time to time, where to look for reports of his speeches in the House of Commons. “The *Times* report good”; “well reported in the *Times*,” are frequently met with. In the course of the Session of

1839 he delivered what he considered to be a good speech in Committee on a Bill ; but “ unfortunately, as generally happens on long Committee nights, there was scarcely a reporter in the gallery.” On August 30, 1848, he writes in reference to a speech he delivered on the 16th of the month : “ I have no cause to complain of the reporters. The version of the *Times*, which now sells 40,000 a day, is almost verbatim, six first-rate shorthand-writers having been employed. The *Chronicle* is hardly inferior, tho’ it only sells 4000; the *Herald* 5000.” On July 8, 1849, he writes : “ My speech last night was at 2.30, and consequently not a semblance of a report in the journals.” By 1851 he had evidently grown more fastidious as to the reports of his speeches. He complains of one report as “ incoherent and contradictory nonsense.” “ It made me blush,” he adds, “ though I ought to be hardened by this time on such a subject.” Sir William Fraser, in his interesting work, “ Disraeli and his Day,” mentions that once, when discussing with Disraeli—after the latter had reached the Premiership—whether a verbatim report of all speeches ought to be published in “ Hansard,” he said to him : “ I suppose you look down with Olympian severity on those matters.” Disraeli replied : “ On the contrary, I feel on the matter acutely. I don’t so much object to what they leave out. I am deeply annoyed at what they put in. For example, every one believes that I have said that my views as to the admission of Jews into Parliament are peculiar and mysterious ! Peculiar they are, for obvious reasons ; but at no period of my life was I capable of uttering such arrant nonsense as to say that they are mysterious.”

There is a reporters’ gallery also in the House of Lords, for which separate tickets are issued by the Lord

Great Chamberlain, who exercises jurisdiction over the wing of the Palace of Westminster appropriated to the Lords. The following is a copy of the ticket :

## SESSION 1896.

AVAILABLE DURING SESSION.

*Admit the Representative of THE WATCHDOG  
to the Reporters' Gallery of the House of  
Lords.*

ANCASTER.

E.C.

The gallery in the Lords is on the same plan as the gallery in the Commons. There are boxes for the reporters in front, and at the back a bench with a ledge for the sketch-writers ; but the accommodation is much smaller, though, on the whole, quite sufficient for the demands made upon it, as the sittings of the Upper Chamber are brief. It is, however, difficult to hear in the reporters' gallery of the Lords. Hence the laconic lines which may be met with occasionally in the newspaper reports :

Lord Dundreary, who was inaudible in the reporters' gallery, continued the debate.

or,

Lord Tomnoddy, who was imperfectly heard, was understood to contend, &c.

The difficulty of hearing is due to the bad acoustic properties of the Chamber, and to the situation of the gallery, which is opposite, not over, the Lord Chancellor on the Woolsack, towards whom most of the peers naturally turn when they address the House. Now, there is nothing that so exhausts a reporter, mentally

and physically, as the reporting of a speech which he hears indistinctly, and therefore the journalists are most grateful to Lord Salisbury and Lord Rosebery—whose speeches, needless to say, must always be given fully and most accurately—for their considerateness in speaking towards the gallery, as they invariably do, in loud, deliberate, and distinct tones.

But to the reporters of "The Parliamentary Debates," who could not, like their *confrères* on the newspapers, dismiss the speech of an indistinct lord with a line that his remarks were inaudible in the gallery, the difficulty of hearing was a sore trouble for years. At length the complaints of noble lords of being inaccurately reported for the "Debates" became so pressing that six years ago a Committee was appointed to try to devise means to overcome the difficulty, and after the consideration of various suggestions they decided that a seat on the floor of the House should be provided for the staff of "The Parliamentary Debates." Accordingly, for the past five years the reporter of the "Debates" has sat at a little desk behind the clerks at the table—as good a position for hearing as is possible under the circumstances. This innovation has not been followed by any disturbance of the solemn propriety and decorum of the Gilded Chamber, as some peers apprehended, when it was first mooted. Even on nights when a big debate is on—such as the debate on the Home Rule Bill of 1893—and the Chamber is crowded to excess, the reporters of "The Parliamentary Debates" noiselessly pass up and down the floor every quarter of an hour to relieve each other, according to the rotatory system of quarter-hour "turns," and cause no inconvenience whatever.



“Hansard,” which from one point of view is a monument to the verbosity of our legislators, is, from the points of view of the politician and the historian, of untold value. “He was a constant student of ‘Hansard,’” writes Mr. John Morley, M.P., of Richard Cobden, “and for one who seeks for purposes of action and controversy to make himself well versed in the political transactions of the present century, there is no book so well worth the labour of ransacking.” It forms a continuous and unbroken record of our Parliamentary proceedings from the Conquest to the present day, in close on five hundred volumes. The first thirty-six volumes, known as “The Parliamentary History” (which were mainly compiled by William Cobbett), contain all that can be collected of the doings of our legislature from 1066 until 1803. It was not until the second session of the second Imperial Parliament—that is, the second Parliament after the Union with Ireland, held in the year 1803, when the hostility of Parliament to the publications of its proceedings was well-nigh exhausted—that Mr. T. C. Hansard conceived the happy idea of compiling a report of the debates and proceedings of the two Houses of Parliament, mainly from the various newspapers of the time, and publishing it in volumes, under the title of “Hansard’s Debates.”

For fifty-four years “Hansard’s Debates” were produced entirely at the expense of Mr. T. C. Hansard the first—who died in 1833—and his son, Mr. T. C. Hansard; but though Parliament contributed nothing to the undertaking, the subscriptions for the volumes from members of Parliament, newspapers, clubs, and public institutions made it a financial success. In 1857, when the sessional subscription was fixed at five guineas,

at which it now stands, the Treasury, on the representations of some of the statesmen of the day, directed the Controller of the Stationery Office to subscribe for one hundred and twenty copies for distribution among the public departments and the colonial legislatures. This first subsidy by Parliament to "Hansard's Debates," continued until 1877, when, on account of many complaints that the report was inadequate for the requirements of the House of Commons, the Treasury entered into an agreement with Mr. Hansard, whereby, in consideration of a grant in aid of £3000, he undertook to publish a more extended report. Mr. Hansard then, for the first time, engaged a staff of reporters to supplement the debates compiled as hitherto from various newspapers by reporting the proceedings of the House on Private Bills, in Committee on Public Bills, in Committee of Supply, and debates after midnight, which, chiefly because of their uninteresting character, are briefly reported by the public Press, and were as a consequence insufficiently recorded in "Hansard" under the old arrangements. In 1880 the grant in aid was increased to £4000. But the sessions became so long, and the sittings so protracted, that the publication of the debates for a fixed sum per session was attended with considerable risk to Mr. Hansard—the debates made nine volumes in 1881, and ten volumes in 1882—and therefore the Treasury in 1882 agreed to provide a subsidy of £500 for each volume of the "Debates" of not less than nine hundred and sixty pages, provided the total number of volumes published each session exceeded five. This arrangement continued until 1890, when Mr. Hansard sold his goodwill as the publisher of "Hansard's Debates" to a company, which undertook

to bring out the "Debates," without any subsidy from the Government, relying on sales and advertisements for a profit. The undertaking, of course, quickly came to grief. Since then, the work has been done consecutively by two other contractors, and the volumes published under the title of "The Parliamentary Debates"—the old name of "Hansard" having disappeared with the company. Under the new arrangement, at present in existence, Messrs. Waterlow, the Government printers, are the publishers, and the report is furnished by the staff of the *Times*, whose extensive daily record of the proceedings in Parliament formed the chief source from which, under the old arrangements, "Hansard's Debates" were compiled. The reporting staff of the *Times* turn out two separate and distinct reports—one for the *Times* and the other for "The Parliamentary Debates," so that the official record is not possibly open to the charge of party bias, if there are any people so ignorant of journalistic ethics as still to retain the notion, which had some vogue in the early days of reporting, and which now at least is utterly without foundation, that reporters "cook" their reports of speeches (or that they are "cooked" in the newspaper offices) to suit the political views of the journals in which they appear.

It seems, indeed, almost incredible that a great and rich nation like ours should have left to chance, until 1877—only twenty years ago—the reporting of the proceedings of its Parliament, the most important factor in the making of its history, simply because its Treasury grudged the expenditure of a few thousand pounds per annum on the work. Indeed, of all the legislatures of the world, ours, the progenitor of them all, is the

only one that has not got an official corps of reporters, employed direct by itself, to record its debates and proceedings. The features of the existing arrangements for the production of "The Parliamentary Debates" are that Cabinet Ministers, other members of the Government, and the chief leaders of the Opposition are reported *verbatim*, and in the first person, or fully in the third person, according to the importance of their speeches; and that, as regards the speeches of private, or unofficial members, about two-thirds is, as a rule, given in the third person, the stipulation of the contract being that no member must be reported at less than one-third. Three days after the delivery of a speech in either House of Parliament, a proof is sent to the member. He is allowed to make verbal corrections, but no correction involving the alteration of what had actually been said is allowed by the editor of the "Debates." An asterisk (\*) placed before the name of a member indicates that he has read and passed the proof of his speech.

The *Congressional Record* of the United States is conducted on an entirely different system. Every word spoken in both Houses of Congress is not only reported by the official stenographers and published in the *Congressional Record*, but the latter is also a receptacle into which senators and representatives throw speeches which they have never delivered! Every member also seems to have a hand in editing it. We frequently read that "Mr. Smith withholds his remarks for revision," or that "Mr. Smith here asked permission of the House to hand his manuscripts to the reporters." Mr. Smith had previously read aloud a small part of his speech to the House. There is a time limit to speeches in Congress,

and consequently incidents like the following are frequently to be found in the *Record*:

MR. SPEAKER—The time of the gentleman from Ohio has expired.

MR. MOREY—Very good, Mr. Speaker, then I will avail myself of the privilege of extending my remarks in the *Record*.

And he did, to the extent of several columns, including by way of quotation an entire article from the *Forum*. Formerly undelivered speeches might be printed in the *Record* as a matter of course, but “the gentleman from Nebraska” having used this privilege to print and circulate a poem—“a little thing of his own,” which extended to close on twenty pages—the right was restrained. Now a member of Congress has to read at least a portion of his speech, and then ask permission of the Senate or the House “to extend his remarks in the *Record*,” which, however, is rarely if ever refused.

## CHAPTER XVIII

FROM THE LOBBY OF THE HOUSE OF  
COMMONS

MANY of my readers will probably need to be told the meaning of "lobbyist." The word has not yet found its way into our dictionaries, but it has been in use for about fifteen years at Westminster and in Fleet Street. It comes from Washington. There lobbyists are male and female agents who work an elaborate system for influencing members of Congress to resist or support the passing of certain Bills affecting private interests. Here lobbyists are journalists who frequent the lobby of the House of Commons, with the permission of the authorities, on the search for political news. They must not be confounded with the occupants of the reporters' gallery. Lobbying and reporting are entirely different functions. The reporter records the speeches delivered in the House of Commons. The lobbyist gathers the political gossip and chatter of irresponsible members, and the official communications of the Government and Opposition, and serves them up in brief, crisp paragraphs, with, perhaps, spicy personal comments, in the "London Letters" of the provincial Press, or in the editorial columns of the London morning journals; and these, probably, do more to make or mar a Parliamentary reputation than the reports or

the suppression of speeches in the news columns of the same organs.

The lobby is the ante-chamber of the House of Commons. It is a handsome square hall, with walls of magnesian limestone of a rather drab colour, embellished with floriated designs, and with stained glass windows. The ceiling is of carved oak, with exquisitely painted devices. The floor is an elaborate tessellated pavement, which has probably been trodden by the feet of more distinguished men and women than have walked the floor of any other hall in the world. In one corner is a refreshment bar, in another a post-office, both for the exclusive use of members. There are four massive swing-doors with glass panels, through which members and visitors are continually coming and going while the House is sitting. One door opens into a short corridor connecting the lobby with the fine octagonal central hall, to which the public always have admittance; the opposite door leads directly into the Legislative Chamber; the door to the right admits to the private quarters of members; and its opposite door to the exit into Palace Yard.

This, then, is the famous lobby, which, as a rule, is more the centre of political life and activity than the Legislative Chamber itself. Bill after Bill may be introduced in the House, and, judging from the newspaper reports, the work of legislation may be progressing evenly and uneventfully; but to get at the true inwardness of things one must walk the tessellated pavement of the lobby. It is in the lobby that the political events of the day are turned over and discussed from the inside. It is there that you will learn what is going on behind the scenes, the secret moves and counter-moves in the great game which is being fought for place and power by the rival political

parties ; it is there that you will gather the meaning of the oracular speech which has just been delivered by Sir William Harcourt or Mr. Balfour, of the motion of which Mr. Chamberlain has given notice, and of the objects and aims of the Bill introduced by Mr. Asquith or Mr. John Morley. It is in the lobby that you will hear of the latest developments of the attitude of the Irish, Welsh, or Scotch members towards the Government or the front Opposition Bench ; of the relations between the Parnellites and Anti-Parnellites ; of the intrigues constantly on foot between leaders of parties or groups, and of the cabals which are being formed by discontented and mutinous members.

The lobby is liveliest before the departure for dinner at seven, and again from ten o'clock till midnight. During these periods of the evening the noise and movement and excitement of the lobby are exhilarating, and to any one who takes a keen interest in politics and in public personages it is the most interesting of places. It is thronged with members, some joking and laughing, others discussing with long faces the fortunes of their cause. But there are others beside members present. Agents of political associations, the men who conduct the campaign in the constituencies, who see that the important work of registration is carefully attended to, and that the local forces are properly organised for the fight in the polling-booths on the day of the election, are also admitted to consult, as occasion requires, with the leaders of their parties. The constant visitor to the lobby is almost certain to see there most of the notabilities of the day, besides Chinese, Turkish, Japanese, South African, Indian, and other coloured potentates and plenipotentiaries in all their barbaric splendour.



Members of the House of Lords also mix with the throng, and at night ladies in evening costumes add a fresh and piquant charm to the scene.

Mixing with the various groups, and picking up every crumb of gossip (social as well as political) which they come across, are about thirty lobbyists, who represent the London and the leading provincial daily papers. The average newspaper reader, when he peruses the London Letter in a provincial journal or the column of political notes in a Metropolitan newspaper, and observes the authoritative air with which political announcements are made, thinks, no doubt, that the writer is in constant and confidential communication with the leading statesmen. As a matter of fact, these personages are very cautious and reticent in discussing with journalists the political questions of the hour.

But as of old time with the words that the King of Syria spoke in his bedchamber, so it is now. Everything of importance leaks out in one way or another. Even the most secret and sacred of Cabinet matters reaches sooner or later the ears of the ubiquitous and vigilant journalist, to whom nothing is sacred and nothing secret. How or where the leakage takes place it is often impossible to tell. It may be that a member of the Cabinet in an unguarded moment, forgetful of his obligation to keep the proceedings of that august circle inviolable, drops a hint to a particular friend in conversation. The friend communicates it to another friend; it is enlarged and magnified as it passes from ear to ear, till it reaches the lobby, where it is discussed in all its bearings by politicians and journalists; and finally it is published broadcast in the different newspapers, with more or less amplification, according to the ingenuity of

the lobbyist or the way in which the intelligence affects the party supported by his journal. If the news is meat and drink for the Conservatives, it is elaborated for all it is worth in Conservative organs, and proportionately discounted and discredited in Liberal journals; the order of treatment being, of course, reversed when the intelligence makes for the good of Liberalism.

It may be that the lobbyists get wind of the great secret without any obligation of honour having been violated by a member of the Government. To a sagacious lobbyist gifted with a power of intuition a word, a look, a smile is sufficient to enable him to gauge the drift of things. By shrewd guesses and negative deductions he can set at naught the reticence of Whips and Ministers, and give the readers of his newspaper fairly accurate intelligence of what is going on behind the scenes.

Some lobbyists do not even draw the line at practical joking when "gravelled for lack of matter." About ten years ago two strangers were discovered seated on one of the benches below the gangway, on the Opposition side almost under the very chair of the Serjeant-at-Arms, and were, of course, at once removed. But the extraordinary part of the affair was that they should have been able to pass the vigilant doorkeepers. Their own statement was that they had been told to "go straight on" by some one in authority, and that they had followed his instructions. The fact was that, being on a visit to London from the north, they had been brought into the lobby by their representative, and told to wait there until he got an order to admit them to the House. They were immediately approached by two waggish lobbyists, who directed them to "go straight on into the Chamber,"

which they guilelessly did, to the amazement of the jokers, who, of course, imagined that the "strangers" would have been stopped by the doorkeepers. The incident, however, made an interesting paragraph.

I have also heard that Mr. Balfour has in his day been the victim of a joke of a playful lobbyist. During his tenure of the Irish Secretaryship he received one morning in March (being St. Patrick's day), at the House of Commons, an oaken octagonal-shaped box about ten inches in length. On the box being opened a bunch of shamrock, with a card bearing the inscription *From a sincere admirer*, was found inside, and underneath a layer of some white compound through which could plainly be discerned a steel spring. Mr. Balfour is not a timid man; but the contents of the box were sufficient to excite uncomfortable thoughts of dynamite and infernal machines in the mind of any one. The Chief Secretary, therefore, deemed it well, before further explorations, to send for an official of the Houses of Parliament who is a bit of an analytical chemist; and on his arrival they both set to work to unravel the mystery in Mr. Balfour's room, much to the terror of the private secretaries, who were momentarily expecting a terrible explosion. For a moment the chemist was puzzled; but, putting a particle of the compound upon his tongue, he discovered that it was simply sugar impregnated with lemon. On turning the box upside down out rolled an antiquated corkscrew, a spiral spring, and a well-worn nutmeg-grater, and on the bottom was a paper bearing these words: "Buy the whisky yourself; you can then concoct the famous lemonade of Ballyhooly."

The story of another practical joke, in connection with a celebrated bye-election a few years ago, is still

current in the lobby. It was one of those contests of which it is impossible to foretell the result, each side being pretty confident of victory, and each agreeing that the majority in either case would be very small. The issue was therefore awaited with great interest. One of the lobbyists arranged with a journalist who was reporting the election for a news agency, to send to the House of Commons, to the Whip of the beaten candidate's party, a telegram announcing the victory of that candidate as soon as the counting of the votes had reached a stage to make it easy to determine the winner. Accordingly, about eleven o'clock at night, when the result of the election was expected and the lobby was crowded with excited groups of politicians of both parties, Mr. Marjoribanks (the present Lord Tweedmouth), who was the Chief Whip of the Liberal party, received a telegram, and on reading it cried exultingly, "We have won, we have won!" He then rushed into the House, followed by cheering Liberals, and announced the glad tidings to Mr. Gladstone, and other leaders of his party. Up jumped the Irish members with characteristic enthusiasm, some of them even climbed on to the benches, and, waving hats and handkerchiefs over their heads, roared themselves hoarse in the extravagance of their delight. By a curious coincidence it happened that Mr. Balfour, then Chief Secretary for Ireland, was addressing the House at the moment; and, as the result of the election was regarded as a repudiation of his Irish policy, the Irish members shouted with all the greater joy. Mr. Balfour was unable to proceed with his speech for a few minutes. It was manifest that the news had depressed him, and he stood silently with his elbow on the table until the storm had spent its force.

Suddenly another wild outburst of applause was heard in the lobby. The Irishmen again renewed their cheers, but the spectacle of Sir E. Ashmead-Bartlett, a telegram in his hand and the light of victory blazing in his eyes, rushing up the floor towards the Treasury bench, told them that some strange and startling development had taken place in the situation, and with rather shamefaced looks they resumed their seats. The correct result of the election had arrived; the Conservative, not the Liberal, was victorious. It was now the turn of the Unionists to cheer, and, as they who cheer last cheer best, there never was heard in the Chamber such wild and uproarious applause and such bursts of mocking laughter. Mr. Balfour resumed his speech in splendid spirits; but what was more to the lobbyists' purpose, they had, thanks to this ingenious little joke, no lack of news that night.

The hunt for State secrets is not now conducted with the unscrupulousness which marked it many years ago. I have heard of a journalist in the first quarter of the century who for years paid a handsome weekly sum to one of the charmen (the men who sweep out the House of Commons) for the torn scraps of letters and documents with which the floor, close to the Treasury Bench and the front Opposition Bench, is littered at the close of a sitting. He used to go carefully through the scraps, piecing and patching them together, in the hope of lighting upon a State secret or an important item of political news. However he gained very little for his pains. Our leading politicians are more careful of their important private correspondence than this journalist supposed. Most of the letters were appeals for charity or applications for situations from constituents. I have heard also of a "penny-a-liner" who dogged the foot-

steps of Peel and Wellington from Downing Street to Apsley House, and heard sufficient of their conversation—they had just left a Cabinet Council—to be able to sell at a big price to a London daily paper a momentous piece of political intelligence.

There is a story also told in Fleet Street of a plot hatched and executed by a London journalist some time ago, by which the lock of a cabinet in the Home Secretary's office was picked and a most important State document stolen. And it is not very long since the political world was startled by the publication in a London evening paper of a Foreign Office memorandum on certain negotiations with the Russian Government, then occupying public attention, which gave an entirely different aspect to the *pour parlers* from that in which they were presented by Ministers in both Houses of Parliament. The affair was inquired into by the Foreign Office. It was established that a copying-clerk had got access in some way to the memorandum and making a copy had sold it to the newspaper. He was, of course, promptly cashiered. How the affair happened has never been publicly disclosed.

The watch over papers and despatches in our State offices, particularly in the Foreign Office, is most jealous and rigorous, and only the eyes of the highest officials are allowed to alight on them. If copies of an important document are needed for distribution among the members of the Cabinet, it is put into type and printed by an old and confidential compositor who is engaged to work—for that purpose alone—a small printing office in the Foreign Office. But there is an old saying that the fox must sleep sometimes, and probably an oversight or accident, which occurs

once or twice only in a generation, threw the paper into the possession of the unfaithful clerk. Since then the divulging of State secrets by State servants has been made a criminal offence by the Official Secrets Act of 1889. If, however, an important piece of information were brought to a newspaper office it would in some cases be bought without any undue squeamishness as to the means by which it had been procured. All that some journals would concern themselves about in such a transaction is the authenticity of the news.

But countless are the ways in which State secrets get into the press. While Wellington was engaged in forming his Administration in 1828, Mr. Charles Herries—a member of the contemplated Cabinet—left a memorandum containing the names of the new Ministers, and the offices to which they had been appointed, on a writing-table in his library. During his absence from the room, a visitor was ushered in, and observing the memorandum, made a copy and sent it to the *Morning Chronicle*. Wellington was very angry over this premature publication of the names of his Ministers.

I assure you [he wrote to the unhappy Herries—greatly exaggerating the effect of the disclosure] that there never was an event, comparatively so trifling in itself, that will produce important consequences on the destinies of this country, as will the premature disclosure in the newspapers of the names of the new-formed Ministry, notwithstanding the precautions and the pains I took to prevent such disclosure.

Not many years ago one of the chief permanent officials in Dublin Castle wrote a letter in the coffee-room of a Dublin hotel, and dried it on a virgin sheet

of white blotting-paper. A person staying in the hotel, going subsequently to the writing-table, was attracted by the impression of large, sprawling characters on the blotting-pad, and to his astonishment was able to read in the signature the name of a well-known Irish Government official. He tore off the sheet from the pad, brought it to his bedroom, and, with the aid of his mirror, was able to copy the entire letter. It was addressed to another Government official in London, and contained the freest and most audacious criticisms of some Cabinet Ministers who were responsible for the management of Irish affairs. Its publication in cold type in *United Ireland* made the flesh of many leading Parliamentarians creep. Shortly afterwards the announcement was published that the writer of the epistle had retired from the public service.

The manner in which the rough draft of the Home Rule Bill of 1893 was put into type at the offices of one of her Majesty's printers (it was too big for prompt production by the Foreign Office compositor) and a dozen copies printed for the use of members of the Cabinet only, illustrates the great care that is taken to guard State secrets. The draft copy was cut up so minutely that each compositor got only three lines to "set," so that he could not form even the haziest of notions as to what the Bill proposed to establish in Ireland; and to one only of the most trustworthy overseers in the office was committed the duty of arranging these innumerable lines of type in their consecutive order. When the dozen proofs were "pulled," the type was immediately broken up and distributed. And yet one of the proofs was found on a writing-table in the library of the Reform Club, before the Cabinet had concluded their



deliberations on the Bill ! It had been left there by a Minister after writing a letter. However, that State document was not sent to the press. The finder returned it to the absent-minded Minister. But the incident, nevertheless, helps to explain how the newspapers often get possession of State secrets.

The *Times*, which has always been noted for the freshness, fulness, and accuracy of its political information, has, exclusively, made many momentous political announcements in the course of the present century. In May 1834 it announced the speedy break-up of the great Reform Ministry, then led by Lord Melbourne, on the question of the appropriation of Irish tithes. On May 6 of that year the Tithe Commutation Bill, introduced by the Government, was before the House. Mr. Edward Stanley (afterwards Lord Derby) used words tantamount to a declaration on the part of the Ministers not to appropriate any of the Irish revenues of the Church to secular purposes, but Lord John Russell rose immediately and stated amid the ringing cheers of the O'Connellites and Radicals, that the Government were not pledged to any such policy. Stanley then wrote on a slip of paper the words "Johnny has upset the coach" (a phrase which is now historic) and passed on the note to his colleague, Sir James Graham. That note, or at least the phrase it contained, was published by the *Times* the next day. It is said that Sir James Graham stuffed the note into his waistcoat pocket, where it was found by his valet, who carried it to the *Times*. But Graham always maintained that there was nothing extraordinary in the note, or its contents, reaching Printing House Square, as he passed it on to Lord Althorp (the then leader of the House), and showed it to two or three others, so that

it was probably known to several before the House adjourned. A few weeks afterwards Stanley, Graham, and other Ministers resigned.

But more sensational still was the announcement by the *Times*, on November 15, 1834, that on the day before, the King (William IV.) had summarily dismissed the Melbourne Administration from office. The news was absolutely unexpected. "Their case is one of rare occurrence," says Charles Greville, writing on the event in his Memoirs. "Unceremoniously kicked out—not resignation following ineffectual negotiations or baffled attempts at arrangement, but in the plenitude of their fancied strength, and utterly unconscious of danger, they were discarded in the most positive, summary and peremptory manner." Earl Spencer had died and his son, Lord Althorp (the leader of the House of Commons) succeeded to the peerage. On November 14, Melbourne went down to Brighton, where the King was staying, to make arrangements for the necessary changes in the Ministry consequent on the call of Lord Althorp to the House of Lords; but William, who had been for some time anxious for new advisers, took advantage of the opportunity to dismiss the Whigs and to command the Duke of Wellington to form a new Government. This, by the way, is the last—and will probably ever remain the last—occasion on which a Ministry was dismissed at the mere personal whim of the Sovereign. Melbourne got back to London late that evening. He communicated the news to none of his colleagues, but sent out summonses for a Cabinet Council next day. However, Brougham (the Lord Chancellor) on his way home from dinner called on Melbourne and was told what had happened. It is said that Melbourne put Brougham under a promise

not to say a word about the matter to anybody until the announcement was made to the Cabinet. But Brougham went direct to the *Times* office, and related the whole affair. He feared, no doubt, that the dismissal of the Government would be attributed largely to his antics in Scotland a few weeks previously—perhaps Melbourne told him so—and desiring, probably, to propitiate the *Times* (which for weeks had been mercilessly attacking him) he brought them this highly sensational and exclusive piece of information, adding: “The Queen has done it all.” The *Times*, however, writing of the affair next day, said that the downfall of the Government was referable in a great measure to the unbecoming conduct of Brougham as Lord Chancellor. The first news the other members of the Government had of their fate was from the *Times* that morning.

Brougham had over-reached himself. He was a man endowed with a mighty intellect, but he did many foolish and questionable things. His action not only failed in securing for himself the favour of the *Times*; but it led to disclosures concerning him which made it impossible for him ever again to obtain office in any Government. When the jointure of Queen Adelaide was discussed in Earl Grey’s Cabinet, Mr. Charles Grant (Lord Glenelg) stood alone in objecting that the proposed sum, £100,000, was too much. The day following at a drawing-room, or a court reception of some sort, he perceived a marked difference in the Queen’s manner towards him. He mentioned the matter to Lord Grey; but the Premier made light of it and said that it was impossible that what had passed in the Cabinet could have reached her Majesty. But after

the publication in the *Times*, "The Queen has done it all," her Majesty revealed the fact that positive information of the proceedings in the Cabinet, in relation to her jointure, had reached her the same evening from Lord Chancellor Brougham. Melbourne, again and again, set Brougham aside when engaged in forming Administrations, and Brougham in revenge continually attacked him in the House of Lords. But on one occasion Melbourne crushed his brilliant assailant in a single sentence inspired not by invective but by pathos. "My lords," said he, "you have heard the eloquent speech of the noble and learned lord—one of the most eloquent he ever delivered in this House; and I leave your lordships to consider what must be the nature and strength of the objections which prevent any Government from availing themselves of the services of such a man."

The announcement made by the *Times* on December 5, 1845, that the Conservative Administration of Sir Robert Peel intended to bring in a Bill for the repeal of the Corn Laws, created one of the most profound political sensations of the century. The Premier had declared only a short time previously that he would stand fast by the Corn Laws, and therefore the announcement of the *Times* was at first regarded as absurd and impossible by supporters of the Government. But in the course of time it turned out to be true. There was naturally much speculation at the time as to how the *Times* got possession of that important and sensational State secret. A popular version which, though it is utterly unfounded, is still told is that Sidney Herbert, a young and handsome member of the Government—he whose statue by Foley looks down so benignly on

wayfarers outside the War Office in Pall Mall—had been beguiled of the secret by Mrs. Norton, a beautiful, and gifted lady and a prominent figure at the time in political as well as in literary and social circles. At the great divorce trial of Norton *v.* Lord Melbourne (which ended in a verdict for the respondent) a letter from the Hon. Mrs. Norton was read for the purpose of proving that Lord Melbourne's presence in Mrs. Norton's house made the children familiar with the phrases of public life. Mrs. Norton stated that after luncheon her little boy started from the table, and asked her "May I resign?" She asked him what he meant, and received this answer: "I want, of course, to go out. Is not to 'resign' the same as to 'go out'?" It is said that on the evening after the Cabinet Council, at which the momentous decision in regard to the Corn Laws was arrived at, Sidney Herbert dined *tête-à-tête* with Mrs. Norton, and that under the influence of her beauty and cleverness divulged the secret. Unknown to her friend, she at once drove, the story goes, to the *Times* office, and told the news to the editor, who thought the information well worth the cheque for £500 which he gave her. But the *Times* really got the information from Lord Aberdeen, a member of the Cabinet. Aberdeen was Foreign Secretary. His most earnest desire was to settle a dispute then in progress with the United States known as "the Oregon affair," and as he knew that nothing would tend more to the spread of pacific views in a corn-growing country than the news that the Corn Laws were going to be repealed, he sent the announcement for publication to the *Times* on the morning the American mails were despatched.

On Monday, March 13, 1845, questions were asked in both Houses of Parliament about an article in the *Times* of the previous Saturday containing most important information—that had not been laid before Parliament—in reference to the negotiations then in progress between this country and Russia, which ultimately ended in the Crimean War. Some time before the *Journal of St. Petersburg* contained a semi-official statement complaining of language used by Lord John Russell (Secretary for Foreign Affairs) in reference to the Emperor of Russia. These expressions of distrust of Russia by the English Minister were, the *Journal* said, inexcusable, as communications of a most friendly character, showing that the Emperor Nicholas had no designs on Turkey, had passed between the two Governments. The *Times* published this article, but denied that it accurately described the relations between the two Governments, and then went on to make the momentous announcement that an *ultimatum* had actually been sent to Russia.

I must say in passing [said Lord Derby, who asked for information in the House of Lords] that this is not the first occasion upon which the *Times* newspaper, within the course of the last few months, has professed to be in possession, and has proved to be in possession, of secret and exclusive information, which ought to have been known only to the Cabinet, and has also had possession of or access to papers which have been refused and are still refused to the two Houses of Parliament.

Lord Aberdeen, who was then a member of a Liberal Cabinet, hotly denied the insinuation that State secrets had been communicated by Ministers to the *Times*. He admitted that a scandalous betrayal of duty had been

committed in this instance, and hinted that the culprit was a clerk in the Foreign Office, who had just left the service, and who had been appointed by Lord Malmesbury, the Foreign Secretary of the previous Tory Government. The *Times* next morning asserted that it had not got its information from a clerk. It treated with scorn the notion that it would accept information on such a matter from a clerk, or from even a subordinate member of the Government, or from anybody in fact but those who knew of it first hand. Lord Malmesbury brought up the subject again in the House of Lords. He stated that the clerk to whom Lord Aberdeen had evidently referred had not been dismissed; but had left for the very excellent and pleasant reason that he had married a lady of considerable fortune; and he read a letter from the gentleman positively denying that he had ever made known the nature of any document given him to copy. Lord Aberdeen fully accepted the denial, and expressed his deep regret for having made the imputation.

I would advise the noble lord [said Lord Malmesbury, in conclusion], if anything of the kind occurs again, not to rashly lay the blame on the youngest or most insignificant of the department, but to remember the answer given by Sancho Panza to his master, Don Quixote, upon an occasion when accused of an indiscretion—‘Your worship will recollect that a cask may leak at the top as well as at the bottom.’

Greville states, in his “Memoirs,” that it was believed at the time that Lord Aberdeen himself made the communication to his friend Delane, the then great editor of the *Times*.

All this shows that the work of the lobbyist is not, as some people may suppose, mere speculation and invention. Several of them have exclusive access to trustworthy private sources of information for which they pay handsomely. The success of the lobbyist depends, in a great measure, on the position and influence of the journal he represents. To the Parliamentary representative of a great London paper nothing is denied but that which it is injudicious to publish. Ministers, Whips, and leaders of parties give him information which they would not give to the representative of a journal of less importance in the provinces. But there are sources of information open to all lobbyists, however great or however small may be the newspapers they represent. In addition to the common gossip of the lobby, which often yields abundant material for political notes, there are Parliamentary papers of various kinds, such as Blue-Books, reports of Committees, copies of new Bills, intended amendments to Bills, resolutions, motions, &c., out of which interesting paragraphs can be made. The members are, as a rule, very obliging to the lobbyists. They all make it their business to see that the representative of their own local organ is not stranded in any matter. The cynical may say they have axes of their own to grind, and no doubt it is essential to members of Parliament that they should stand well with their local Press. In many cases indeed their very existence as members depends upon it. "I absolutely disregard all Press criticisms, except those which come from my own local paper, *The Skibbereen Eagle*," said an Irish member once in the House of Commons, and that is the sentiment of most members of Parliament. Therefore it is that in these days, when the craze for notoriety is



so widespread, and the appetite for news so insatiable, the journalist is a welcome visitor to the lobby of the House of Commons, where so late as the time of our grandfathers, when the inquisitiveness of newspapers was regarded as a gross impertinence, he was treated as little better than an eavesdropper and interloper.

## CHAPTER XIX

## THE QUEEN'S REPORTER

IN the private library of the Queen in Buckingham Palace—which has been, since her accession to the throne in 1837, the metropolitan abode of her Majesty—there are several shelves of volumes, which stand out prominently from the other books in the collection by reason of the uniformity of their substantial and yet tasteful bindings. The gilt lettering on the broad backs of the volumes shows that they are devoted to the subject of Parliament. The first volume of the series, for instance, bears the following title :

FIRST  
PARLIAMENT  
OF  
VICTORIA  
SESSION I  
1837-'38.

And so on through the series to the last volume, which is inscribed, "Fourteenth Parliament of Victoria. Session II., 1896."

A closer inspection of the volumes would show that they are composed, not of printed matter, but of manuscripts. They are, in fact, descriptions of scenes and incidents in the House of Commons during the long

reign of the Queen—from 1837 to 1896—written by the various eminent statesmen who have been Leaders of the House within that period. It is not generally known that when Parliament is sitting the Queen receives, morning after morning, a special account of the proceedings of the House of Commons the night before, from the Leader of the House. This report must not be confounded with the brief summary of the proceedings telegraphed by the Vice-Chamberlain of the Household (a minor member of the Government), every three hours during the sitting of the House, to Windsor, Osborne, or Balmoral, whichever of the palaces her Majesty may be occupying at the time. The report is always written by the Leader of the House; so that the writers of these volumes in the library of Buckingham Palace, are Viscount Melbourne, Sir Robert Peel, Lord John Russell, Lord Palmerston, Mr. Disraeli, Mr. Gladstone, Sir Michael Hicks-Beach, Lord Randolph Churchill, Mr. W. H. Smith, Mr. Arthur Balfour, and Sir William Harcourt, all of whom have in turn filled the post of “Queen’s Reporter.”

What splendid newspaper “copy” there is in those volumes! What would not the leading daily journals give for descriptions of some of the events of the last Parliament, and of this Parliament, from the pens of Mr. Arthur Balfour, Mr. Gladstone, and Sir William Harcourt! When these reports are published, as no doubt they will be in years to come, they will make most interesting reading, while their value and importance as contributions to the Parliamentary and political history of the Victorian era can hardly be exaggerated.

Some of the Leaders of the House may have contented themselves with sending the Queen a mere digest of the

business done during the sitting. But that is hardly probable. They would naturally aim at making their reports bright and interesting, and at conveying to her Majesty particulars which she would not find in the average newspaper Parliamentary report. At any rate, the few glimpses we have got of the contents of these volumes show that Lord Palmerston and Mr. Disraeli, at least, imitating "Our London Correspondent" of the provincial newspapers, sent pictorial sketches of scenes and incidents enacted in the House during the night, and indulged in humorous and critical comment on the speeches and personal peculiarities of members who took part in the debates. Only two extracts from this long series of bulky volumes have as yet been published. Sir Theodore Martin was allowed the privilege of going through the reports when writing the "Life of the Prince Consort," but he has made a very meagre use of them in that work, perhaps by direction of the Queen.

Here, however, is an extract from a report sent by Lord Palmerston to the Queen on August 13, 1860 :

Members are leaving town ; but the tiresome ones, who have no occupation of their own, and no chance of seeing their names in the newspapers when Parliament is up, remain to obstruct and delay by talking. The Speaker, who has not been quite well, grows as impatient as any official who has hired a grouching moor and cannot get to it; and a few nights ago, when a tiresome orator got up to speak just as the end of the debate had been expected, the Speaker cried out, 'Oh, oh !' in chorus with the rest of the House.

The other extract is from the pen of Mr. Disraeli, who, in 1858-59, enjoyed a brief term of office for the

second time, as Chancellor of the Exchequer and Leader of the House of Commons, in the second Derby Administration. In 1859 the Government introduced a Reform Bill, and were defeated on an amendment to the Bill moved by Lord John Russell. On the night of the 22nd of March, two important speeches on the amendment were delivered—one against the Bill of the Government by Sir Edward Bulwer Lytton, and the other in its support by Sir Hugh Cairns, the Solicitor-General. Mr. Disraeli thus describes the speeches in his report to the Queen :

A night of immense power and excitement. Two of the greatest speeches ever delivered in Parliament—by Sir Edward Lytton and the Solicitor-General . . . Both spoke in a crowded House ; one before dinner, the other concluding, just down. Never was a greater contrast between two orators, resembling each other in nothing but their excellence. Deaf, fantastic, modulating his voice with difficulty—at first almost an object of ridicule to the superficial—Lytton occasionally reached even the sublime, and perfectly enchained his audience. His description of the English Constitution ; his analysis of democracy—as rich and more powerful than Burke. Sir Hugh Cairns devoted an hour to a reply to Lord John's Resolutions, and to a vindication of the Government Bill, which charmed every one by its lucidity and controlled every one by its logic. When he had, in the most masterly manner, and with a concinnity which none can equal, closed the business part of his address, he directed himself to the political portion of the theme, and, having literally demolished the mover of the amendment, sat down amid universal cheers.

The Sovereign is the head of Parliament. It is the

Sovereign that calls it into existence to advise him or her in the government of the realm. In theory, the Sovereign presides over all its deliberations. The actual presence of the Sovereign in Parliament on any but a ceremonial occasion would, however, be now regarded as unconstitutional. The Sovereign cannot appear in the House of Commons at any time. In the House of Lords the King or Queen can only come in state to exercise the royal prerogatives of opening or proroguing Parliament, or of giving assent to Bills that have passed both Houses. But in early times it was customary for the King to be present in the House of Lords, and to take an active part in its proceedings. Later on, the Sovereign visited the House of Lords merely as a spectator. Charles II. found a few hours spent in that Chamber a pleasant interlude to the gaieties of Whitehall. "It is as good as a play," said the Merrie Monarch.

On the first occasion that Charles unexpectedly entered the Upper Chamber the peers were in Committee, and the House immediately resumed to ascertain the object of this unceremonious visit of the Sovereign. He told them he meant to follow the example of his ancestors, who often attended the debates in the House of Lords. But their lordships need not be disconcerted by his royal presence; let them go on with business; and he was kind enough to say also that they might wear their hats. The novelty of the King's presence must have quickly worn off, for, according to the Lords' Journals, Charles reprimanded their lordships "for their very great disorders in debate," on January 26th, 1670.

James II., William III., and Anne were also frequently present at the debates of the House of Lords.

But the peers grew jealous of the presence of the Sovereign, or found that on the whole it was a restraint on the freedom of debate. They were accordingly very glad when the custom was discontinued by George I., on his accession to the throne, in 1714, for the very good reason that, as he did not know a word of English, the discussions could not have afforded him much instruction or amusement. The last occasion on which a Sovereign was present at the debates in the House of Lords was on January 12th, 1710, when Queen Anne came down to hear the peers on the subject of the war with Spain. Since then no king or queen has been present in the Upper Chamber save at the opening or proroguing of Parliament.

The only king who ever entered the House of Commons was Charles I., and the visit of that foolish and impulsive monarch proved too rash and ruinous an experiment to find imitators among his royal successors. The occasion was the memorable January 4, 1642, when he sallied out of Whitehall, and, leaving 300 armed men in Westminster Hall, suddenly entered the House to seize the five members—Hampden, Pym, Holles, Strode, and Hazlerig—who, along with Lord Kimbolton, had been the day before impeached for high treason in the name of the King at the Bar of the House of Lords. The peers, nevertheless, refused to order the accused members to be taken into custody; and now Charles had come to effect their capture himself. He strode up to the Chair, wearing his hat, and addressing Mr. Speaker Lenthall, said, "By your leave, Mr. Speaker, I must borrow your chair a little." Lenthall came down and stood by the table, as the King from the dais looked around to see if the five who dared

to dispute his royal will were present. But, as he said himself, "the birds were flown"; and so, commanding Lenthall to "send them unto him as soon as they returned hither," he left the Chamber, followed by a shout of "Privilege, privilege" from the incensed members. Curiously enough, this was the House of Commons, known as "the Long Parliament," which seven years afterwards consigned to execution the King who thus so unceremoniously intruded upon their deliberations.

The Commons' Journal deals in a very perfunctory fashion with this historic episode. "His Majesty," it states, "came into the House and took Mr. Speaker's chair: 'Gentlemen, I am sorry to have this occasion to come unto you,'" and then the record breaks off abruptly. But as the King stood on the dais haranguing the Commons, he observed John Rushworth, the assistant clerk, who sat at the table beneath him, apparently taking down his words in strange characters. What could those curious dots and strokes and curves mean? Immediately after he left the Chamber the King made inquiries to satisfy his curiosity, and on being informed that Rushworth wrote a system of shorthand, he at once sent "Black Rod" for the clerk and commanded him to give him a copy of his speech. Rushworth in vain represented the danger he ran of punishment by the Commons if he reported to his Majesty anything that had been spoken in the House. "I do not ask you to tell me what was said by any member of the House, but what I said myself," said the King. So the clerk wrote out the speech, and his Majesty got it printed and circulated next morning. John Rushworth may, therefore, be described as the first of the Sovereign's reporters.



Charles I., then, was the only Sovereign who ever crossed the threshold of the House of Commons. It is, indeed, a curious circumstance that the Queen has never seen her "faithful Commons" in session, although she has been on the throne for sixty years. She is denied a spectacle that may be witnessed by the humblest subject of her own sex. It can hardly be said with truth in these times that the presence of the Sovereign in the House would influence the result of a debate. Her Majesty could, indeed, be an unobserved spectator behind the grille of the ladies' gallery. Neither does the old theory that the presence of the Sovereign would be a violation of the freedom and secrecy of the debates hold good in these days of universal newspaper reporting. The Queen may read, every morning of the Session, a full report of the previous night's proceedings in the House of Commons, and graphic descriptions of any scenes or incidents that may have marked their progress. But the fact nevertheless remains that the Queen is by a theory of the Constitution prohibited from entering the House of Commons.

A feeling of resentment against the presence of a member of the Royal Family in the House of Commons was once manifested in an extraordinary fashion in our own times. On January 27, 1846, the Prince Consort was present as a spectator in the peers' gallery of the House of Commons to hear the opening of the debate on Sir Robert Peel's resolution for leave to introduce a Bill for the abolition of the Corn Laws. A few nights subsequently, and before the debate had terminated, Lord George Bentinck, who was a vehement opponent of the resolution, charged Prince Albert with having come to the House on that occasion to show his sympathy with

Peel's proposal. "The Prince Consort allowed himself," said the Tory squire, "to be seduced by the Minister of the Crown to come down to this House, to usher in, to give *éclat*, and, as it were by reflection from the Queen, to give the semblance of a personal sanction of her Majesty to the measure." Prince Albert keenly resented this taunt. He was never again seen in the House of Commons. It would seem, however, that there was some foundation for the belief that the Prince Consort went down to the House of Commons on that occasion at the earnest wish of Sir Robert Peel and of the Duke of Wellington, who both thought that his presence might influence some of the great Tory magnates, who were so furious at the proposal to repeal the Corn Laws that they quoted without pretext Lord Alvanley's atrocious saying: "Peel ought not to die a natural death." Mr. Greville mentions in his "Journal" that the Prince was present "to mark the confidence of the Court." It was the first time that a member of the Royal Family attended a debate in the House of Commons. The presence of the Prince of Wales or the Duke of York in the peers' gallery is a frequent occurrence nowadays; and no one ever dreams of suggesting that it is meant as a political demonstration or an attempt to sap the integrity of any of our representatives.

But if George III. could not go down to the House to listen to the debates himself he determined to have intelligence of them at the earliest possible moment. It was useless for him to go to the newspapers for the information he desired. In fact he himself took very good care that the newspaper editors could only publish Parliamentary intelligence at the risk of heavy fines and

long terms of imprisonment. During the exciting contest between John Wilkes and the House of Commons from 1763 to 1770, as to whether in consequence of his writings in his newspaper, the *North Briton*, he was a fit and proper person to enter the presence of Mr. Speaker and the Mace, as the representative of Middlesex, the populace, who sympathised with Wilkes, were anxious to know how it fared with their hero, and they naturally turned to the newspapers for news. Some of the journals endeavoured to justify their existence by satisfying during this contest the craving of their clients for Parliamentary intelligence. They published brief summaries of the debates on the Wilkes question in the House of Commons. But this commendable display of enterprise only aroused the ire of George III. "It is highly necessary," he wrote, in high dudgeon, to Lord North, "that this strange and lawless method of publishing debates in the papers should be put a stop to." "Strange and lawless!" How strange—aye, and how lawless—these adjectives sound in our ears, in such a connection, in these days of unfettered and unrestrained Parliamentary reporting! The King was bent, evidently, on having the daring newspaper editors, or "the miscreants," as he called them, punished by hook or by crook. The ordinary courts of justice were unreliable, apparently, for the purpose. "Is not the House of Lords, as a court of record on which we can rely, the best court to bring such miscreants before, as it can fine as well as imprison," he continues; "and as the Lords have broader shoulders to support any odium that this salutary measure may occasion in the minds of the vulgar?"

While George III. thus endeavoured to keep from his subjects all knowledge of what took place in Parliament,

he directed Mr. George Granville, the complacent Leader of the House of Commons, to supply him every night with the most minute and circumstantial reports of the debates during the agitation about John Wilkes. Thus was originated the custom of sending the Sovereign nightly a letter descriptive of the proceedings in the House of Commons. It has, therefore, now been in vogue for over a century and a quarter. Pitt, Fox, Canning, Peel, and Melbourne acted as Parliamentary reporters for George III., George IV. and William IV.; but these monarchs were not careful to preserve the reports sent them by the Leaders of the House of Commons during their respective reigns, for no trace of the documents can now be found.

There is, however, in Le Marchant's "Life of Lord Althorp" (who was Leader of the House of Commons at the passing of the great Reform Bill), a copy of one of the reports sent to William IV. The first passages of it, dealing with a motion by Mr. Spencer Perceval, a religious fanatic, for a General Fast owing to the disturbed condition of the country, are as follows :

DOWNING STREET, *January 27, 1832.*

Viscount Althorp presents his humble duty to your Majesty, and has the honour to inform your Majesty that the debates in the House of Commons began last night by a motion by Mr. Perceval for an address to your Majesty to appoint a General Fast. Mr. Perceval excluded strangers on this occasion ; there is not, therefore, any account of the debate—or, rather, of his speech—in the newspapers. Viscount A. had endeavoured to prevent him from making the motion by informing him that it was the intention of your Majesty's servants to advise your Majesty to issue a proclamation for this purpose. Mr. Perceval was not, how-

ever, satisfied by this, and persevered in making the motion, stating that he thought the suggestion ought to originate in the House of Commons. Mr. Perceval spoke under the highest state of excitement, with a Bible in his hand, from which he made quotations for an hour and three quarters ; but was at last persuaded to allow the notion to be negatived without a division.

It is interesting to note that Sir Erskine May, the great authority on Parliamentary procedure, who was for many years Clerk of the House of Commons, considered this practice of sending reports of the proceedings of the House to the Sovereign a violation of the privileges of Parliament, because Parliament had, in order to guard against the arbitrary interference of the Crown in its proceedings, established for centuries the Constitutional doctrine that the Sovereign should neither hear nor give credit to reports of its debates. However, this declaration, when quoted with approval by Mr. Leonard Courtney, an ex-Chairman of Committees, in the House of Commons in 1879, in presence of Sir Erskine May, was received with much laughter. The occasion was a debate on a motion by Mr. Dillwyn, a Welsh Radical member, to the effect "that to prevent the growing abuse by her Majesty's Ministers of the prerogative and influence of the Crown, it is necessary that the modes and limits of the action of the prerogative should be more strictly observed." Mr. Courtney, who supported the motion, contended that it was "an undoubted breach of the Constitution" for a Minister to send a report of the proceedings of the House to the Queen, and when members laughed in derision he quoted Sir Erskine May in his support. But Mr. Gladstone, who was in Opposition at the time, effectively ridi-

culed the contention. The House might, he said, fairly object to the details of its proceedings being conveyed to the Sovereign at a period when the people were debarred from receiving any information about the doings of Parliament; but it was, in his opinion, ridiculous to say that it was an offence to communicate the proceedings of the House to the Sovereign at a time when they were published in every newspaper in the land. The House evidently agreed with this opinion, for the motion was not even pressed to a division.

Most of the recent leaders of the House of Commons—Lord Randolph Churchill, Sir Michael Hicks-Beach, Mr. W. H. Smith, and Sir William Harcourt—wrote the report in their private room at some convenient breathing time during the sitting, but Mr. Gladstone (who filled the post of “Queen’s Reporter” in five Parliaments) always prepared it in the House, at intervals during the night—an example which was followed by Mr. Arthur Balfour during his brief leadership of the House in the last session of the Conservative Parliament prior to the dissolution in 1892. Mr. Balfour, as leader of the House in the present Parliament, still follows the same practice. On a night when there is little to record the right hon. gentleman waits till towards the close of the sitting before he sets himself to the task. Generally after midnight he may be noticed providing himself from the table (always plentifully supplied with stationery) with a sheet of House of Commons note-paper, quarto size, and a blotting pad; then taking his seat on the Treasury Bench he writes the report with the gold fountain pen attached to one end of his tandem watch-chain, while the concluding business on “The Orders of the Day” is being hurried through.

It is the established etiquette for the Leader of the House to use the third person and to address the Sovereign in the second ; as indeed is done in all epistolary communications between a Minister and the Sovereign. Mr. Gladstone always began his report with the formula, "Mr. Gladstone presents his humble duty to her Majesty and begs to inform her that at the sitting of the House of Commons to-day," &c., and this form of the record has been followed by the other leaders of the House. The Liberal chief often commenced the letter early in the sitting, added to it as opportunity offered during the evening, and finally he would read it over carefully, dotting its "i's" and crossing its "t's" before dispatching it to the Queen at the rising of the House. Seated on the Treasury Bench, with a blotting pad placed on his knee, as a desk or support, the Old Man wrote the letter on the quarto notepaper of the House, with any quill-pen which he might casually pick up from the table. He invariably filled the four sides of this large sheet of notepaper, and on occasions of extraordinary interest the record often covered two sheets. When interrupted in its composition in order to answer a question or give a prompt denial to some statement made in the course of a speech of a right hon. gentleman at the other side of the table, he always retained possession of the document while on his feet, and he also carried it with him into the Lobby in the case of a division, returning to its preparation again the moment he was able to resume his seat on the Treasury Bench.

How has that great statesman conveyed to the Queen the intelligence of his many Parliamentary triumphs during his long career as Leader of the House of Commons—the passing through the House of the Bill for

the Disestablishment of the Irish Church in 1869; the Irish Land Bill of 1870; the Ballot Bill of 1872; the Irish Land Bill of 1881; the Reform and Redistribution Bill of 1885; and the Home Rule Bill of 1893—to mention only a few of the great measures he successfully steered through the House of Commons, and all of which—save the Home Rule Bill—have found places in the Statute Book? That is a secret which is known only to a very limited number, indeed, probably, only to her Majesty and himself; and it is impossible not to feel somewhat envious of our posterity, who, towards the end of the twentieth century, perhaps, will enjoy the perusal of these historic documents in print.

Then there are Mr. Gladstone's Parliamentary defeats. How has he written of these, and especially of the rejection of the Home Rule Bill of 1886 at one o'clock on the morning of June 8? During the scene of wild excitement which followed the announcement of the result of the division on the second reading of the Bill—311 for, 341 against—and while Lord Randolph Churchill, standing on the corner seat of the front bench below the gangway on the Opposition side, waved his hat enthusiastically over his head and vociferously led the triumphant shouts of the victorious Unionists, Mr. Gladstone was observed sitting on the Treasury Bench calmly finishing his report of the proceedings of that historic sitting for the Queen!

Again, what a painful duty it must have been to the "Old Parliamentary Hand" (as he called himself) with his intense love for the House of Commons, and all its historic associations, his noble conception of its dignity as the governing body of the British Empire, to have to inform the Queen, on the night of Thursday, July 27,



1893, that blows were exchanged between honourable members on the floor of the House that very night ! He cannot have given a detailed account of the fracas, which occurred that night in Committee on the Home Rule Bill, for, as he told the Speaker subsequently, neither his eyes nor his ears were sharp enough to enable him to describe what had actually occurred ; and I saw him myself, from the reporters' gallery, half-reclining on the Treasury Bench, during the brawl, gazing sorrowfully at the Chairman (Mr. Mellor), who was vainly endeavouring to restore order, while the crowd of members on the floor prevented him from seeing—if he had cared to see—the fight between Irish Unionist and Nationalist members on the Opposition benches. But the fierce and angry shouts and ejaculations of the brawling members must have reached the aged Premier, however desirous he might have been to shut his ears to the shameful clamour.

## CHAPTER XX

## WHIPPING M.P.s TO WESTMINSTER

DURING a Session of Parliament readers of newspapers meet now and then with the announcement that the Government or the Opposition, as the case may be, have issued a "four-line whip" to their supporters, urging their attendance in the House of Commons on the occasion of an important division. Notwithstanding the fierce light of publicity that beats upon Parliamentary proceedings, there are thousands of newspaper readers who are probably completely in the dark as to this "four-line whip," or who have only a dim and hazy notion of what it really means. It is a lithographed letter or summons issued to members of Parliament, to secure a full attendance in the House on occasions of critical divisions, when the fate or policy of the Government or Opposition is at stake.

An ordinary whip or summons to attend is frequently issued by each party during a Parliamentary Session; but, as a rule, it is only on occasions of great importance that a "four-line whip" is sent out. It gets its name from the fact that the first word with which it opens, "Important," and its concluding injunction, "Your punctual attendance is most particularly requested," are underscored with four lines. It also states the particular business for which the urgent summons is

issued, and is signed by the Chief Whip of the party in whose interest it is sent out. It has been said that a one-line whip means "You ought to come"; a two-line whip, "You should come"; a three-line whip, "You must come"; and a four-line whip, "Come—or stay away at your peril." During the late Parliament the narrow majority of the Liberal Government necessitated the frequent issue by their Whips of a new kind of summons of the most peremptory and threatening character. It was underscored five times in red ink. It meant, "Come, or there will be a smash-up of the Government, and a General Election."

I have said that the "four-line whip" is signed by the Chief Whip. It will be seen, therefore, that there are personal as well as impersonal Whips. There are on each side (for the Government and for the Opposition) two Whips, senior and junior, and three or four assistant Whips—all members of Parliament, of course—who are nominated by the leader of each party, to act as his *aides-de-camp*, so to speak, in the ever-waging fight for place and power on the floor of the House of Commons, between the Liberal and Conservative battalions. They derive their name from the whipper-in of a hunt; and are, indeed, most important personages. They do not loom so large on the public eye as the Prime Minister, or the Leader of the House of Commons, or the Leader of the Opposition, whose speeches are reported columns long in the newspapers. But these, after all, are but the figureheads in the battles between the two sides of the House. The movements of the battalions are really controlled and directed by the Whips, who work behind the scenes, and whose names, consequently, rarely appear in the newspapers, just like the engineers of a big Trans-

atlantic steamer, whom the passengers never see, but on whose ability, skill, and resource the safety of the mighty vessel largely depends.

The position of Chief Whip of the party in office is naturally more onerous than the position of Chief Whip to the party in Opposition. It is no exaggeration to say that the post of Chief Whip is one of the most important and onerous in the Government, for on him the fate of the Ministry, or the success of their policy, frequently depends. The Chief Whip does not, it is true, initiate measures. That is the duty of the heads of the Government. But once a Bill is laid before the House, its fate and fortunes almost entirely depend upon the Chief Whip. He has to steer it safely past the rocks and sand-banks that abound in the division lobbies. To drop the metaphor, he has to secure the attendance in the House at all hours of a sufficient number of the supporters of the Government to avoid defeat in a division—a heavy task in any event, but most heavy when the rival parties are in numbers pretty evenly balanced. It is rather a thankless position, too. In the hour of triumph, after a critical division, the Chief Whip, who has mustered the big battalions that won the victory, is forgotten; but he is remembered with bitterness in the shadow of defeat and disaster, and on his shoulders the blame for the loss of the fight is generally cast. It is then said that he was remiss in his duties; and the newspapers, probably, announce that he had a “bad quarter of an hour” with the defeated Ministers.

The principal duty of the Opposition Whip is to muster, on the occasion of a big party division, as striking a demonstration against the Government in the

division lobbies as is possible. If he is wideawake and alert, and has his men well under control, he may get a chance of defeating the Government. But that chance comes rarely nowadays; and if the defeat was due to a snap division, or an unexpected division, on a not very important subject, no Government would dream of taking it seriously and resigning.

To avoid any mishap of that kind, the Chief Whip of the Government must be always in the House. He must also know his men thoroughly. He must be acquainted with their peculiarities, and know how best to approach each and every one of them—whether with cajolery or with a threat—whether with an invitation to a social function, or a word of praise or flattery from the Prime Minister or the Leader of the House, when he requires their attendance for a division. He is always flitting restlessly about the House and lobbies, consulting with the leaders of his party or mixing with the rank-and-file to ascertain their views and feelings, and to see that dissatisfaction or insubordination, if it ever manifests itself, is not allowed to spread. He must be a man of good temper and of pleasant persuasive manners; possessed of tact, discrimination, prudence, and knowledge of human nature; able to keep his forces in order, in good spirits, and amenable to the crack of the party whip.

It is therefore a matter of vital importance for a Government on entering office to obtain a suitable man for the post of Whip. The post, too, has few attractions, if any, for able men. The Whip is cut off from taking part in debates, whether he be in office or in Opposition, and therefore the principal avenue which leads to distinction and success in the House of Commons is closed

to him. No man with the gift of speech would accept the office.

The office of Chief Whip is not, however, without its recompenses and its rewards. He fills an office in the Administration styled "Patronage Secretary to the Treasury," the duties of which are purely formal, but to which the substantial salary of £2000 per annum is attached. The office is a survival of the time, not so very long ago, indeed, when the wheels of Government were made to run smooth by the distribution of offices, honours, ecclesiastical preferments, and even sums of money—the money, too, of the taxpayers—for votes and other services to the party in office. The Chief Whip is still the dispenser of whatever little patronage remains in the hands of the Government—outside political offices—in the shape of posts, appointments to which are vested in the Crown; and if a member of Parliament desires to be made a knight or a baronet or a baron—in recognition of his party services—he first approaches the Chief Whip, who conveys the wish to the Prime Minister. The assistant Ministerial Whips are appointed "Junior Lords of the Treasury" at salaries of £1000 each. The Whips of the Opposition receive no financial recompense from the State; but as they are not doomed to perpetual banishment "in the cool shades of Opposition," they live and labour in the hope of the good time that is coming when they will enjoy a share in the substantial spoils of office.

The social distinction of the office of Chief Whip is also great. Again, the Chief Whip is the negotiator or ambassador between parties. All communications of a political nature between parties pass through the Whips. Another duty of the Whips is to superintend that

curious system known in Parliamentary circles as "pairing." A member who is thoroughly loyal to his party will never think of quitting the precincts of the House without first informing his Whip, and, if his absence is likely to be protracted, getting paired. This means securing a member of the opposite party who agrees to absent himself from the House for the same time—be it an hour, a day, a week, or a month—and thus neutralise each other's absence in any divisions that may take place while they are away. "Pairing" is not recognised by any rule or regulation of the House, written or unwritten, and therefore there is nothing to prevent a member who is "paired" from taking part in a division but his own sense of honour. The conditions of "pairing" have, however, never been wilfully violated.

The Whips also arrange the order of a debate and fix its length. They meet together, the senior Whip of each party, on the eve of an important debate, or "field night," and decide the order the combatants shall enter the lists; or, in other words, arrange what important member of the Government shall speak, and what important member of the Opposition shall reply. The Whips then communicate to the Speaker or to the Chairman of Committees, as the case may be, the names of the members whom they desire to have called as the best debaters on each side, and the Speaker or Chairman generally accepts the suggestion. It is obvious that the debate would be entirely haphazard and chaotic if there were no such rule.

It will be seen, therefore, that the duties of the Chief Whip are multifarious as well as laborious. The most unpleasant part of the post is the constant attendance in the House which it necessitates. On a quiet evening

the Whip may leave a junior on duty, and retire to the private room which he has at his disposal for rest or recreation. But he dares not leave the precincts of the House. A critical division may occur at any moment; and it behoves the Chief Whip to dispatch at once an urgent summons by telegram and special messengers—a corps of which is in attendance in Parliament in the interest of both parties—to the followers of the Government in the clubs, in the theatres, at balls and at suppers, to hurry to Westminster to save their party from the discredit, if not disaster, of defeat. The sudden and dramatic defeat of the Liberal Ministry on June 21, 1895, when it was least expected, shows the unsleeping vigilance that is required on the part of the Government Whips.

Let us see, now, how the Whips work. Each party has employed in the lobby of the House of Commons a number of clerks, whose business it is to “mark in”—that is the technical term—the names of members as they enter and leave the House. Therefore, when a division is approaching, the Whips on each side, by referring to these lists, can tell the number of their followers and the number of their opponents in the precincts of the House, and consequently the result of the division. If the Whips of the Government find they have not sufficient followers in the House to win in the division, word is sent round amongst the members of their party present to keep the debate going until the required number of followers turn up. Similar tactics are pursued by the Opposition if they think that by delaying the division they can make a better show.

An amusing illustration of these tactics occurred during the term of office of the Conservative Govern-



ment of 1886-92. It was the Royal Hunt Cup day of Ascot week. The business down on the order paper of the House of Commons was unimportant, and so a large number of supporters of the Government thought they might, with safety to the party and much pleasure to themselves, spend the afternoon at Ascot. But they had not reckoned on a little plot hatched by the Liberals. Shortly after the House met a motion for adjournment was made from the Opposition benches, in order to call attention to something that had happened in Ireland in which the Government were concerned. A motion of this kind can be brought on without notice, provided it is supported by forty members standing up in their places. Of course the required number of members were in attendance. In fact, the Opposition benches were thronged, while the gaps on the Ministerial benches were neither few nor far between. Naturally, the Government Whips were in a state of mind bordering on panic. The task before them was to get their men up from Ascot before the division was taken. Urgent telegrams were forwarded to the course; a special train was at once chartered, and as many of the Conservative members as could possibly be laid hands on were torn from the gay and festive scene and dispatched to London.

But meantime the debate showed signs of collapsing. The speakers on the Opposition side were extremely few and exceedingly brief. They wanted that division to come off at once. Then it was that Mr. Henry Chaplin stepped into the breach and saved his party from defeat. He delivered one of the longest speeches that has ever been made in the House of Commons. The quarter-hours and the half-hours flew by, and though the

impatient Opposition roared and howled at him, Mr. Chaplin spoke on—not very connectedly or coherently, it is true, but it was time and not wisdom that was needed in the interests of his party. At last he got word from the Whips that the Ascot contingent had arrived, and he resumed his seat. The division was then taken; but the Government emerged triumphantly from the division lobbies.

Very small causes sometimes lead to momentous issues in Parliamentary affairs. During the Session of 1875 the Disraeli Administration were defeated in a snap division, on an amendment moved by the Irish members, in Committee on an Irish Bill, because it was found at the last moment that the bell between the House and St. Stephen's Club, where a large number of Conservative members were dining, would not ring. It was subsequently discovered that the wires were cut. On a similar occasion, big with the fate of the Government, the Whips sent out their corps of messengers to summon their followers from dinner-tables, balls, clubs, and theatres, but not a single cab was available in Palace Yard. They had all been sent on bogus missions a short time previously by the Opposition Whips.

A story is told in the lobby of the House of Commons—but, let me add, that is no guarantee of its truth—that some years ago a Government was defeated at the dinner-table of one of its leading opponents. This gentleman invited twelve of his friends among the supporters of the Government to dinner on a night a big party division was to take place. The twelve never turned up for the division, although the host did.

What happened? No, the host did not hocus his guests. But his champagne was unsurpassable in quality

and unlimited in quantity; and so when the guests should be walking through the lobbies of the House of Commons, they were—at least, eleven of them—calmly reclining under the table. One escaped; but he never reached the House of Commons. He was found by the police endeavouring to let himself into Millbank Prison with a latchkey!

An amusing incident connected with the fatal division of June 21, 1895, which led to the resignation of the Liberal Government, is also worth recording as showing the unexpected mishaps and misadventures which often decide the issue of a division. Shortly before the division referred to a Tory M.P., who is a member of the St. Stephen's Club, which stands at the corner of the Thames Embankment, opposite to the Clock Tower of the Houses of Parliament, got, with some difficulty, the permission of the Opposition Whips to pay a visit to the club to dine, and only after giving a solemn promise that he would rush back to the House the moment the division signal, which connects the club with the precincts of the House, was sounded. He happened to be comfortably seated in the smoking-room of the club, enjoying a cigar after a good dinner, when the division bell of the House was rung. Jumping to his feet, he rushed out without his hat. Now, there are two subways leading from the club—one connecting it directly with the Houses of Parliament, and the other leading to the Westminster landing-stage of the river steamers. In his hurry the M.P. ran down the wrong subway, taking the one leading to the river side, instead of the one communicating with the House. Perceiving his wild flight, and doubtless impressed by his excited appearance, the policeman on duty at the end of the tunnel jumped

to the conclusion that he was about to commit suicide by throwing himself into the river.

Actuated by the best of motives, the policeman seized him, and insisted upon taking him to New Scotland Yard. Nor was the officer satisfied until a Liberal member who happened to be leisurely walking along the Embankment to the House (unaware of the perilous position of the Government) vouched for the sanity and respectability of the Tory M.P. His vote was, of course, lost; and so, too, was the vote of the Liberal M.P. Indeed, the Liberal—who told the story—declared that if he had not happened to witness the plight of the Tory he would have got to the House in time to support the Government in the division. Another cruel example of the irony of fate!

A snap division like this is not of frequent occurrence. As a rule the big party divisions are fixed by mutual agreement, not only for a certain night, but for a certain hour; and so the Government Whips are able to have their men on the spot. It may be asked then how it came to pass that the Liberal Whips allowed the division, which proved so fatal to them, to be taken without making sure that they were strong enough to win. The truth is, they were out-manceuvred, or caught napping. There were more of their opponents present than they thought. Had they had the least suspicion of danger, they could have arranged for the discussion to be “kept alive” until a sufficient number of their men to prevent defeat had arrived. It is said, indeed, that there was a regular Parliamentary ambushade on the occasion. By those who “mark in” for the Liberals it was calculated that the Government had a majority of sixteen; by those who “mark in” for the Tories the

majority of the Government was put down at thirteen. The explanation given for the discrepancy between the calculations of the official counters and the actual result is that several Liberal Unionists, who are said to have arranged the ambuscade, came into the House by the terrace, and in that way escaped the observation of the counting clerks in the lobby.

The ways of the Parliamentary Whips are often strange and peculiar; but the story of the ambuscade is hardly credible, especially in the light of a curious and unprecedented episode which occurred at the announcement of the numbers of the division. The division was taken on a motion for the reduction by £100 of the salary of Mr. Campbell-Bannerman, Secretary for War, on the ground that the stores of small arms ammunition were insufficient. The Ministerialists were in the "No" lobby, and the Opposition in the "Aye" lobby. As the Whips, who act as "tellers" in a division, came back from the lobbies almost simultaneously, it was perceived that, whatever the result, it was a close division. The respective tellers having given the numbers from each lobby to the Clerk at the table, the latter handed the paper, containing the result of the division, to Mr. Akers-Douglas, the Chief Whip of the Opposition, thus indicating that the Government were defeated, and accordingly the Unionists cheered long and vigorously. However, Mr. Akers-Douglas, after glancing at the paper, handed it to Mr. Thomas Ellis, the Chief Government Whip, and a cheer that was like a sigh of relief, went up from the occupants of the Ministerial benches. The four tellers were now ranged in a line, fronting the table, as is customary—the tellers of the victorious party to the left, facing the Speaker; and the

tellers of the vanquished to his right—when to the mingled amazement and amusement of the House, a fresh development took place in the extraordinary position of doubt and perplexity in which the Whips found themselves. Mr. Ellis, before announcing the result of the division, paused a second to examine the numbers, and then, satisfied that his side were the vanquished, he handed the paper back again to Mr. Akers-Douglas, and retreated with his fellow teller to the side of the defeated, on the right, facing the Speaker.

This incident occupied a considerable time, as time is measured in seasons of strain and excitement. The cheers and counter-cheers, which were marked by an unusual vehemence, were heard in the lobby and corridors, and there was a rush of members to the Bar, who kept eagerly inquiring the cause of this startling exhibition in the House. When at last it was known that the Government were defeated by 132 votes to 125, a scene of unbounded enthusiasm on the part of the Unionists ensued. The episode, which is unexampled in the history of Parliament, shows that if there had been an ambuscade, as was alleged, the Unionist Whips knew nothing of it. What is more probable is that the division was a greater surprise to the victors than to the vanquished.

## CHAPTER XXI

VOTING SUPPLIES IN THE HOUSE OF  
COMMONS

THE House of Commons, composed as it is of the elected representatives of the taxpayers of the realm, has sole control of the collection and expenditure of the national revenue, or of the mode in which taxes are raised, and the manner in which taxes are spent. Years ago supplies were voted by the Commons, on the direct application of the Sovereign, without any specific information being afforded as to the financial needs of the State, or any guarantee being given that the money would be spent solely for the public weal. The King had at his command a revenue supplied by the rents of the Crown lands, and the proceeds of certain duties, which were settled on him for life. With the funds thus obtained the King conducted the Government of the realm as he pleased, with little or no regard for the opinions of Parliament. The money was mainly spent by the King for his own pleasure, and to sustain his own influence and power. It was only when his personal revenue failed to supply his needs that the King resorted to the embarrassing and hateful expedient of asking the Commons to make good the deficiency. If the Sovereign had at his disposal a fat purse, it was little heed he paid to public rights or public wrongs. But when his treasury

was empty, he went to the Commons to solicit further subsidies in a repentant and yielding mood, real or pretended, and then the representatives of the people were able, as conditions precedent to voting the money asked for by his impecunious majesty, to have grievances redressed ; to extort concessions ; to make the bounds of freedom wider yet. A change in this order of things came after the Revolution. The House of Commons took over the control of the entire naval, military, and civil expenditure of the country ; they annually voted and paid the sums required for the different services, and the King got simply an allowance, called the Civil List, calculated to meet the expenses of the Royal Household. The votes of supply are now founded on annual estimates prepared on the collective responsibility of the Cabinet. These estimates are carefully calculated to raise just so much money as will cover the expenses for the coming year. And that money is strictly appropriated within the year to the specific purposes for which it is voted by the House of Commons.

Long ago, too, the House of Lords exercised co-ordinate control with the Commons over the national revenue. But the interference of the Lords in supply was always regarded with jealousy and resentment by the Commons ; and at last, after many hot controversies, the people's representatives succeeded, after the Revolution, in establishing for evermore their exclusive right to determine " the matter, the measure, and the time " of every tax imposed upon the people. The principle upon which this exclusive right of the Commons is founded has been well expressed by Lord Chatham. " Taxation," said he, " is no part of the governing or legislative power. The taxes are a voluntary gift and grant of the



Commons alone. In legislation, the three estates of the realm are alike concerned ; but the concurrence of the peers and the Crown to a tax—the gift and grant of the Commons alone—is only necessary to clothe it with the form of a law.” Accordingly, all proposals involving the raising or spending of taxes can only originate in the Commons. Though all Bills embodying such proposals are, after they have passed the Commons, sent up in the usual fashion to the Lords ; and although the Lords may in theory reject a Money Bill (they are expressly prohibited from modifying its clauses or altering it in any way), the rejection of any such Bill would now be considered a breach of Constitutional usage and an invasion of the privileges of the representative Chambers. Again, if a Bill which entails the expenditure of public money is introduced in the Lords, the clause dealing with the amount required is either printed in italics or written in red ink in the copy which is sent down to the Commons, to convey that it does not form part of the Bill, but is merely offered as a suggestion for the acceptance of the representative House.

The sums of money necessary for the administration of the affairs of the United Kingdom and the defence of our world-wide Empire are enormous. Over ninety millions of money is annually raised for this purpose. In the year ending with March 1894 the exact amount was £91,302,846 ; last year (1895) it was £93,918,421. These figures do not include the payments out of the national exchequer to local bodies in aid of local taxation, which of late amount to over six millions per annum ; so that the gross imperial expenditure at present is close on £100,000,000 a year. This enormous

public revenue comes, either directly or indirectly, from the pockets of the people.

The tendency of the national fiscal policy in our days is to remove imposts from articles of consumption, especially those which are necessities, as distinguished from luxuries, and from raw materials used in manufactures, and to increase the taxes on income and property. But, nevertheless, the vast bulk of the revenue still comes from the indirect taxation yielded by the Customs and Inland Revenue. Customs are imposts levied on a part of the foreign trade of the country, or on tea, tobacco, wine and spirits, that come to us from abroad. The Inland Revenue consists of revenue derived from the internal resources of the country, such as excise duties on home-produced beer, spirits, and malt, the income-tax, and various other taxes on property. Of the £98,466,798 raised in 1895, the greater portion, or £62,835,263, came from the Inland Revenue (which includes both direct and indirect taxes, the latter, however, yielding the most revenue), and £19,974,601 from Customs. The Post Office Service yielded £10,472,876; the Telegraph Service, £2,534,262; and the remaining sum, between two and three millions, was derived from miscellaneous sources, such as fee stamps, patents for inventions, and from the old hereditary revenues of the Crown from woods, forests, and lands (£414,450), which, with two exceptions, have been surrendered to Parliament in exchange for the Civil List, or the £407,301 (including £60,000 for the Queen's privy purse) paid for the salaries and expenses of the Royal Household. This sum is exclusive of the £187,796 granted in annuities and pensions to other members of the Royal Family. The two hereditary

revenues of the Crown which still remain in the possession of the Royal Family, and are wholly exempt from Parliamentary control, are the revenues of the Duchy of Lancaster, amounting to £50,000 a year, which go to the Queen, and the revenues of the Duchy of Cornwall, amounting annually to £60,000, which go to the Prince of Wales.

The entire revenue of the country is gathered in from its various sources by the State departments charged with its collection; and it forms, when paid into the Bank of England and the Bank of Ireland, to the account of "Her Majesty's Exchequer," one common fund which is called "The Consolidated Fund." Payments from the national Exchequer are of two kinds—namely, "Consolidated Fund Services" and "Supply Services."

The first services consist of regularly recurring annual charges, that have been already authorised and made permanent by Acts of Parliament, and which, therefore, are issued to the Treasury without having to come every year under the supervision of the House of Commons. These charges amount to about £28,500,000. As much as twenty-five millions of this sum—being indeed the biggest slice of the public revenue—go to pay interest on our National Debt (which amounted at the last financial year to about £669,104,024), and to create a sinking fund for its redemption. Over half a million of the Consolidated Fund Service goes to the Queen and other members of the Royal Family; another half million for the salaries and pensions of our judges and magistrates; about £339,000 for annuities and pensions for certain naval and military services (including annuities to the heirs of Nelson and Wellington), and for diplomatic,

political, and civil services ; about £82,000 for existing salaries and allowances to high State functionaries—as, for instance, the £20,000 to the Lord Lieutenant of Ireland, and the £5000 to the Speaker of the House of Commons ; and the remainder, or about £337,000, for miscellaneous services.

The effect of placing these charges on the Consolidated Fund is that they are entirely removed beyond the criticism of the House of Commons. The idea, of course, is that such subjects as the payment of our National Debt—on which the credit of the country depends—and the annuities of the Royal Family, the allowances to the descendants of national heroes and faithful servants of the State, and the salaries of our judges and magistrates, and other high State functionaries, ought not to be liable every year to discussion, and perhaps heated and undignified criticism, in the House of Commons.

Over the “Supply Services,” or the second class of charges on the national Exchequer, the House of Commons has entire control, for they must be specially voted by the House every year. They come to about £63,000,000 ; and are divided into three classes—Army, Navy, and Civil Service. The Army estimates in 1895 amounted to close on twenty-one millions ; the Navy estimates to nearly twenty millions, and the Civil Service estimates to about twenty-two millions.

The estimates are, in the first instance, prepared by the Ministers at the head of the various State departments which spend the money. The Secretary for War is responsible for the Army estimates ; the First Lord of the Admiralty for the Navy estimates ; and—to mention only two of the seven departments which come under the general head of “the Civil Service”—the Postmaster

General for the Post Office estimates ; the Home Secretary for the Home Office estimates. But these estimates of the amounts which in the opinion of the Ministers are required to carry on the work of their departments for twelve months are subjected to careful scrutiny (to see that they are framed with a due regard to economy) by the Treasury, a department which exercises a jealous control over the other State departments, in all matters involving the expenditure of public money, before they are adopted by the Cabinet, and formally submitted to the consideration of the House of Commons. The Treasury, by all accounts, keeps a tight hold on the strings of the national purse ; and its approval of any proposal which would compel "Sandy, Taffy, John, and Paddy" to put their hands deeper into their trousers' pockets is difficult to obtain, unless indeed it involves a question of policy, to which the party in office is pledged, when, of course, the economical scruples of the Treasury must give way.

Every one has heard of "The Budget." It is the comprehensive statement of the Chancellor of the Exchequer, to the House of Commons, at the end of the financial year (March 31), dealing with the probable income and expenditure of the ensuing twelve months and with the general financial prospects of the kingdom. The amount of money which the Chancellor of the Exchequer in his Budget recommends the House to raise is intended to provide for the public expenditure required during the year and during the year only. This means that the revenue received during the year is supposed to be spent within the year. The calculations of the Chancellor of the Exchequer in his Budget are based as regards revenue upon the returns of the past

year and as regards expenditure upon the estimates of the heads of departments.

“Budget night” is awaited with an almost feverish anxiety. It is one of the big nights of the House of Commons—a night when the House is crowded to its fullest extent and looks its very best. Great things are expected from the Chancellor of the Exchequer. The accounts of the Exchequer have already been published. It is therefore known whether the estimated revenue balances the estimated expenditure; or whether there will be a deficit—an excess of the estimated expenditure over the estimated revenue; or, better still, a surplus—an excess of the estimated revenue over the estimated expenditure. If there is a prospective deficit the Chancellor of the Exchequer must devise means for meeting it. New taxes will have to be imposed or existing taxes augmented. If, on the other hand, there is a prospective surplus the Chancellor of the Exchequer chooses the particular imposts to be modified or abolished. And even if expenditure and revenue are evenly balanced there is always the prospect of some readjustment of the public burdens—some transfer of taxation from one class to another class, from some commodities to other commodities—being announced by the Chancellor of the Exchequer. The financial proposals and schemes of the Government are kept profound secrets until they are disclosed in the Budget statement. “Budget night” is usually, therefore, a night of surprises.

There are two Committees of the whole House for dealing with the national revenue and expenditure. One is called “Committee of Ways and Means,” and the other “Committee of Supply.” The Committee of

Ways and Means deals with the proposals of the Government for raising by loans, taxes, duties, or imposts of any description the money required for the administration and defence of the State. In other words, it determines how the money required shall be raised and whence it shall come. The Committee of Supply decides what sums of money are sufficient to meet the requirements of the various State departments. In other words, it authorises the expenditure of the national revenue. The House, accordingly, goes into Committee of Ways and Means to hear and consider the Budget statement of the Chancellor of the Exchequer. The proposals of the right honourable gentleman are reduced to the form of resolutions which are adopted, amended or rejected by the Committee, and those that are agreed to are reported to the House and embodied in Bills, which have to go through all the stages prescribed for legislative measures before they become law.

The first day the House goes into Committee of Supply after the assembling of a new Parliament is marked by an interesting event. This is the election of the Chairman of Committees. The office, though of no especial dignity, is not very many degrees less in importance than that of Speaker, for the holder presides in Committee of Ways and Means when the Budget is brought forward, in Committee of Supply when the Estimates are under consideration, and in Committee on the clauses of all Bills. Since 1853 he takes the chair as Deputy-Speaker during the unavoidable absence of the Speaker. The office is held, like the Speakership, until the dissolution of Parliament, and carries with it a salary of £2500 per annum (or half that of the Speaker), but, unlike the Speakership, there is no official residence

and no pension. A member of the party in office is always appointed to the post. The brief and simple manner in which this appointment is made is in striking contrast with the ceremonial which attends the election to the Speakership. Directly the order "Supply" was read out for the first time by the Clerk, after the assembling of the present Parliament in September, 1895, the Speaker descended from the Chair, and Mr. Arthur Balfour, the Leader of the House, simultaneously rising, said, "I move that Mr. James William Lowther do take the chair." The motion was endorsed by a cheer from the Ministerial benches, and, as no one made any observation or proposed any other candidate, Mr. James William Lowther took the chair accordingly—not the Speaker's Chair, but the place at the table usually occupied by the Clerk, who leaves the House for the time being. If any contest had arisen, the Speaker would have resumed the Chair, and the Chairman would then have been elected by the vote of the House. But a contest for the office is, I believe, unknown in modern Parliamentary annals. The Chairman shares with the Speaker, and with him alone, the privilege of being able to enforce the closure; the temporary Chairmen who are appointed to replace him, when necessary, in Committee are not endowed with any such authority. The Chairman does not wear any uniform or distinctive garb. He usually appears in evening dress.

Unofficial members of the House of Commons have not the right to propose a motion for the increase of any of the Estimates before the Committee of Supply. Bills introduced by private members necessitating the imposition of new charges contain a clause that the necessary expenses "shall be defrayed out of moneys



hereafter voted by Parliament." It is easy to account for this restriction on the privileges of members of Parliament. If members could propose the expenditure of public money, it is not ninety millions, but nine hundred and ninety-nine millions that would be required to meet the claims they would be compelled to make on behalf of their constituents, to say nothing of the cost of their own peculiar and expensive legislative hobbies.

A member, therefore, cannot move to increase a vote. That can only be done by the responsible Minister. But a member may move the reduction of a vote. Committee of Supply, therefore, affords to every representative the opportunity of raising any grievance his constituents or the public generally may feel against any of the departments or Ministers whose expenses and salaries are covered by the votes. In the old times, when the entire executive authority was possessed by the King, when Ministers were appointed by him and responsible to him alone, the representatives of the people in Parliament complained of grievances and insisted upon their redress before voting the tax the King demanded. But now that all executive and administrative authority have passed into the hands of Ministers, complaints and remonstrances in regard to wrongs and grievances are addressed to the Ministers concerned during Committee of Supply; and if the explanations are not satisfactory, a reduction in the vote under consideration is moved. There is no doubt that the anticipation of criticism in Committee of Supply has a restraining influence on Ministers. It enables the representatives of the people to exercise a control over the executive Government, to check abuses in the public expenditure; and therefore tends to maintain that

honest and pure administration in the State departments which has been so long the proud boast of this kingdom.

A motion for the reduction of a vote is rarely carried. As a rule it is moved simply to allow attention to be called to some question, and when that purpose has been effected the motion is withdrawn. But if the motion is pressed to a division, as it frequently is if the members who support it are not satisfied with the explanation of the Minister, it is, of course, opposed by the followers of the Government and is usually rejected. If, however, a motion for the reduction of a vote, or a motion for the reduction of the salary of a Minister were carried, it would mean disapproval of the policy covered by the vote, or imply discontent with the entire administration of that Minister; and as the responsibility of all the members of the Government is collective and not individual, a hostile amendment would bring about—even in the latter case—not only the resignation of the Minister specially attacked, but the resignation of the entire Cabinet. The late Liberal Administration resigned owing to the success of a motion in Committee of Supply to reduce by £100 the salary of the Secretary for War.

But exciting and momentous events of this kind are rare in Committee of Supply. That stage of Parliamentary business is usually dull. What a curious notion the stranger—fresh from his native heath in the far west or north, and ignorant of Parliamentary habits, customs, and procedures—present in the gallery for the first time on a night the House is in Committee of Supply, must form of the greatest Legislature in the world. He cranes his neck as far over the high barrier in front of him as those lynx-eyed attendants in evening dress, with

wide gilt chains on their breasts, will permit him, and sees—what? Well, not much more than empty benches. He observes the table quite plainly, but he cannot see on the benches to its immediate right and left any members answering to the portraits and newspaper sketches of the great men of the House. Now that he looks more sharply, he is amazed to find that the Speaker's Chair is empty; that a gentleman in ordinary attire and without a wig sits at the head of the table. It cannot be the Clerk, surely. And where is the mace? His eyes are not even gratified by a sight of that awful emblem, for it lies *perdu* under the table until the Speaker comes back again. Yes; deserted and unpicturesque is the House on nights when Supplies, or the money to grease the wheels and supply steam for that mammoth machine, the British Empire, is being voted by the Commons.

But occasionally the proceedings in Committee of Supply are not without the elements of entertainment. Notwithstanding the changes which are being continuously wrought in the *personnel* of the House by death, resignation, and the ill-fortunes of General Elections, there are always in the House a number of members who delight to burrow into the three ponderous volumes—each with its couple of thousand pages crammed with figures—issued every year, containing the Estimates for the Army, Navy, and Civil Service respectively; and passing by items of expenditure millions in amount, call attention, in Committee of Supply, to out-of-the-way and insignificant, but none the less interesting, demands on the public.

The Civil Service Estimates afford the best opportunity for this sort of industry on the part of this

section of the members of the House. For instance, when the Chairman informs the Committee in the usual form that—"the question is that a sum not exceeding £17,062 be granted to her Majesty for the maintenance and repair of the palaces in the personal occupation of her Majesty" (every vote, by the way, is in theory granted to her Majesty), a member may rise and ask the President of the Board of Works, to whose department this vote belongs, why it is the ancient office of rat-catcher to the royal palaces is not abolished. The abolition of the office, however, would only mean a saving of £18 a year to the State, £8 being paid to the rat-catcher of Buckingham Palace, and £10 to the rat-catcher of Windsor Palace. Then somebody discovers that in the Home Office £25 a year is paid overtime, to second division clerks to weed out valueless papers in the pigeon-holes of the department. Another member calls attention to the big sum of money spent every year to supply newspapers to the various Government offices. Here are a few of the entries under this head: Treasury £150; Home Office £95; Foreign Office £160; Privy Council £80; Secretary for Scotland £40; and Irish Office £190. One of the duties of private secretaries is to run through the newspapers, and to draw the attention of Ministers to anything affecting them or their offices. What an acquaintance with the news of the day and public opinion these gentlemen must have!

On the Treasury Bench sits the Minister in charge of the particular State department for which the vote under discussion is required. He is supplied with a small oblong box, known as a "despatch box," filled with papers, notes, and memorandums of various kinds, to assist him in answering any questions that may be

put to him in regard to his office. On the votes for the army amounting to over seventeen millions, and the votes for the navy which exceed fourteen millions, questions affecting each service are discussed, and oftentimes abuses and grievances are so effectively exposed that their removal rapidly follows. In like manner on the votes for £231,465 for the salaries of the officers of both Houses of Parliament, and the maintenance of the buildings; £97,000 for the Home Office; £70,000 for the Foreign Office; £43,000 for the Colonial Office; £691,000 for Foreign and Colonial Services; £170,000 for the Board of Trade; £166,000 for the Local Government Board; £1,971,421 for the Civil departments of Ireland; £3,698,000 for Law and Justice; £9,388,000 for Education, Science, and Art; and £12,778,000 for the Revenue departments (of which close on ten millions go to the Post and Telegraph Offices); besides numbers of other votes, questions concerning our interests at home and abroad are fully discussed.

But there is one interesting vote in regard to which a question is never asked in Committee of Supply. This is the Secret Service vote. The supply for this service varies from £30,000 to £50,000 a year. But in addition to this annual vote by Parliament, a sum of £10,000 is payable every year out of the Consolidated Fund for "Home Secret Service." The money for the Secret Service is entirely expended by the Foreign Office and the Home Office. A record of persons in receipt of Secret Service money is kept at both offices; but no information as to the expenditure of the money would be given to Parliament by Ministers, on the ground that it would be inimical to the public service.

“The object aimed at,” Mr. Gladstone once said, “is to confine the knowledge of it to the smallest possible number of persons, and having thus concentrated responsibility, to trust to their honour and discretion.”

The business of Supply is extended over a large part of the Session. By a resolution adopted in 1896, on the motion of Mr. A. J. Balfour, twenty days are allotted to Committee of Supply; but an additional three days may be allowed in the discretion of the Leader of the House. As the votes are agreed to in Committee, they are reported to the House, when, as on the report stage of a Bill, their proposals may be again debated and rejected or adopted. Sometimes what is called “a vote on account,” which is usually for a large amount, is taken by the Government, to enable them to carry on the services of the country until the regular votes have been adopted.

The department of the Exchequer and Audit, which is presided over by the Comptroller and Auditor-General—a permanent official—exercises control over the receipt, custody, and issue of the public revenue. Under the authority of the “Supply resolutions” of the House of Commons, the Comptroller and Auditor-General—to whom they are sent direct from Parliament—grants to the Treasury a general credit on the Consolidated Fund in the Bank of England. The Treasury, however, does not pay over to the various departments the money appropriated to their services directly it is voted by Parliament. In fact, the money does not reach the departments at all through the Treasury. Armed with the warrants issued by the Comptroller and Auditor-General, the Treasury directs the Bank of England to place the money to the account of the Paymaster-

General, who acts as the banker of the departments. Payments are made by the Paymaster-General only against orders issued upon him by the departments. These orders are like bank cheques, and the books of the Paymaster-General are kept in the same manner as those of a banker—that is, each department is credited with the amounts received on its account from the Treasury, and is debited with the various sums paid on the orders or cheques it issues.

Each department has the power only of spending during any year the amount voted for its service. If the funds voted by Parliament for the purpose should prove insufficient, owing to a miscalculation in the estimated revenue, or in the estimated expenditure, the Treasury can raise the amount necessary to cover the deficit by the issue of Bills on the security of the Exchequer, which are subsequently redeemed by means of supplementary votes of supply granted by Parliament. On the other hand, should a department spend less than the amount voted for its service, the unexpended balance has to be returned to the Exchequer at the end of the financial year; into which each department has also to pay any amount it may have received from any other source than its “vote,” as, for instance, the proceeds of the sale of old stores.

The amount of taxation each year being thus calculated to provide for the expenditure which it is estimated will be required during that year and no more, it may be asked how are new and unforeseen demands on the national exchequer met. Has the Executive to wait for another year to receive the money from Parliament? Two permanent reserve funds have been created to enable the Executive to meet expenses—indispensably

necessary to the public service, but not previously provided for—arising during the Parliamentary recess. One is the “Treasury Chest Fund,” consisting of £1,000,000, for unexpected public services at home and abroad; the other is the “Civil Contingencies Fund,” limited to £120,000, to meet unforeseen deficiencies in the ordinary departmental votes. Any money advanced to the Treasury from either of these funds must be repaid by a special vote of supply when Parliament again assembles. This is the only attempt made by the State to set aside funds to meet the “rainy day” mentioned in the proverb.

The passing of the Appropriation Act at the end of each Session is the consummation of the control which Parliament exercises over the public expenditure. In this Act are consolidated all the votes passed in Committee of Supply, and its purpose is to insure that each vote is appropriated to the objects for which it is granted by Parliament. But, nevertheless, it cannot be said that there is a rigorous supervision of the Estimates by the House of Commons. Indeed, a real and searching criticism of the votes in Committee of Supply is not possible in the circumstances of Parliamentary life, and happily it is hardly required. The necessary vigilant control of the spending of the national revenue is provided by other means. The business of the Audit department of the Exchequer is to examine the accounts and vouchers of the expenditure of the various branches of the public service. But that is not all. Every Session the House appoints a Public Accounts Committee—consisting of experienced and clear-headed business men, and men of the greatest weight and authority upon financial questions—whose



duty it is to supervise the work of the Audit department. The system by which the public funds of the Realm is administered is indeed beyond suspicion. Under it, extravagance—not to speak of peculation—is impossible, and all the money is spent on the objects for which it is voted by Parliament. That no doubt is the reason why the sums asked for by Ministers are so readily granted year after year by the House of Commons.

## CHAPTER XXII

## PRIVATE BILL LEGISLATION

A PRIVATE Bill is a Bill in which a company or a local authority seeks for powers to carry out a commercial undertaking or a social scheme involving interference with public rights or the rights of individuals. The State alone can abrogate public or private rights. If therefore, a municipal body, or a company desires to build or extend a railway, to provide a local community with gas or water, to lay down a tramway, to open a cemetery, to construct a system of sewerage, to erect municipal buildings, to make a canal, to provide harbour and dock accommodation, or execute any other work which affects public rights, or private proprietary interests, it must embody its scheme in a Bill and submit it, for consideration, to Parliament, which alone possesses and can alone confer on another body, the power, for instance, of acquiring land compulsorily, subject to proper compensation to the owner; and no step can legally be taken by the promoters in the execution of the scheme until that Bill has passed through Parliament.

Every Private Bill has to go through precisely the same legislative stages in both Houses of Parliament as a Public Bill, or a Bill dealing with a matter of public policy in which the whole community is interested. It must be presented in either House, and read a first time,

pass its second reading, be committed, or referred to a Committee for the consideration of its details, reported to the House; read a third time; then go up to the Lords, if it originated in the Commons, or down to the Commons, if it originated in the Lords—where it must again go through all these stages, and finally receive the royal assent. Nevertheless, there are certain marked distinctions between procedure on a Private Bill and procedure on a Public Bill. The proceedings in Committee on Public Bills is of a purely legislative character, whether the Committee be a Committee of the whole House sitting in the House itself, or a Grand Committee meeting in one of the Committee-rooms upstairs. But a Committee on a Private Bill always sits upstairs and exercises judicial as well as legislative functions. There is also a striking difference in the manner in which Public Bills and Private Bills are presented to Parliament. A Public Bill is introduced in either House without any preliminary proceedings outside. But under the Standing Orders of Parliament, before any Private Bill can be presented in either House, a petition for such Bill, together with plans and estimates of the proposed scheme or undertaking must be deposited by the Parliamentary agent of the promoters in the Private Bill Office at the Palace of Westminster. Copies of these documents must also be sent to the Clerk of the Crown of any locality affected by the works, and due notice must be given, in the local newspaper, to all persons affected, such as the owners and occupiers of the land proposed to be compulsorily acquired under the powers of the Bill. Each House has a counsel known as the “Examiner of Private Bills,” whose duty it is to see that the Standing Orders have been complied with

by the promoters of these undertakings. These gentlemen hold public sittings together at Westminster, about a fortnight before the time for the meeting of Parliament, to hear the Parliamentary agents of the interested parties—the promoters and opponents of the scheme—as to whether or not there has been due and proper compliance with the Standing Orders.

Parliamentary agents are usually, but not necessarily, solicitors. Any person, save a member of Parliament (a term which includes Lords and Commons) or an official of either House may become a Parliamentary agent, by writing his name in the register of agents in the Private Bill Office, and by entering into a bond for £500 for the payment of the Private Bill fees, and for the due observation of the declaration he is also required to make, to obey the rules, orders, regulations, and practices of Parliament.

If the examiners find that the Standing Orders have been observed the Private Bill may be brought into either House forthwith; but if they report a breach of the Standing Orders, such as insufficiency of notice, or inaccuracy in the plans, the matter is referred to two committees—one appointed by each House at the commencement of every session—and known as the “Committees on Standing Orders.” These Committees decide, between them, on written statements supplied by the promoters and opponents of the scheme, whether or not the promoters should be allowed to proceed with their Bill, and if so, under what, if any, conditions.

The next stage in the progress of a Private Bill is the selection of the House through which it shall first pass, for, as I have said, it must go through both before it becomes an Act of Parliament. This question is settled

by the Chairman of Ways and Means in the House of Commons, and the Chairman of Committees in the House of Lords, who hold a conference at the commencement of every Session, and with a view to the equalisation, as far as possible, of the Private Bill legislation of the two Houses, determine in which House the respective Private Bills for the Session should be first considered.

Let us now follow a Private Bill in its course through the House of Commons. A Public Bill is introduced by a Minister or unofficial member (after leave has been given), walking with it from the Bar to the table and presenting it to the Clerk. But a Private Bill, after the elaborate preliminary proceedings have been gone through, is lodged by the Parliamentary agent in the Private Bill Office, and printed copies of it are delivered to the doorkeeper of the House for the use of members. Every Private Bill is endorsed or "backed" by the names of two members, at the request of constituents or the promoters; but as a rule they have nothing further to do with its progress through the House. All notices in relation to the Bill which appear on the "Orders of the Day," except notices of opposition, are given by the Parliamentary agent of the promoters. It is he who fixes the day for the first, second, or third reading. But as no stage of a Bill, private or public, can be passed except by a motion made and put in the usual manner from the Chair, one member of the House—generally an old and respected member—undertakes the duty of moving these motions in regard to Private Bills.

The first thing the House of Commons does after prayers, with which each sitting opens, is to proceed with any Private Bills that may be on the paper for

consideration. The normal aspect of the Chamber at this hour is empty and listless. Half a dozen members or so are scattered over the benches at each side. The responsibility of Ministers in regard to public legislation does not extend to Private Bills. Ministers, indeed, abstain from any interference in such business. The only occupant of the Treasury bench is the obliging unofficial member, who, to the great convenience of the House, as well as of the parties interested in the Private Bills, has undertaken to see these measures through the different stages. The proceedings are purely formal. The Speaker rises from his chair and says "The Clerk will now proceed to read the titles of Private Bills." Sometimes there may be six or eight such Bills on the paper—at other times only one or two—in various stages of advancement. But be the list long or short it is generally gone through in a few minutes. The Clerk reading from the "Orders of the Day," says "The Essex Railway Extension Bill—second reading;" the member on the Treasury Bench lifts his hat to indicate that he moves the Order, and the voice of Mr. Speaker is again heard, "As many as are of that opinion will say 'Aye'; the contrary, 'No.' " No one responds to the Speaker's invitation. Not a solitary "Aye" or "No" is heard from the few uninterested and inattentive members present. But, nevertheless, the Speaker imperturbably declares he thinks the "Ayes" have it, and then pronounces the irrevocable decision, "The 'Ayes' have it." And so on through the entire list. The Clerk reads the title and stage of each Bill; the occupant of the Treasury Bench raises his hat; the Speaker declares the order passed. The "strangers" in the public galleries wonder what this conversation between the Clerk and the Speaker

may be about, and strain their ears in a vain attempt to catch its purport. The reporters in the Press gallery, generally take no notice of the proceedings or only mention in their reports the Private Bills that are of local interest to their newspapers.

But Private Bills are not always disposed of in a few minutes in this drowsy and formal manner. Some closely affect for good or ill the well-being and convenience of large masses of the people; others involve questions of political policy. These Private Bills, arousing, as they naturally do, public feeling and party passion, are debated for hours with animation on their different stages in the House. The progress of the average Private Bill through the House is, however, calm and uneventful, and it is only when, after the second reading by which the House has affirmed the general principle or expediency of the measure, it is referred to a Select Committee, sitting upstairs, that it finds itself in troubled waters.

Before we follow the Private Bill upstairs, let us see how the Select Committee, which will decide its fate, has been appointed. A small body of the oldest and most experienced members of the House, representative of all parties, is appointed every Session to select the Committees on Private Bills. They are known as the "Committee of Selection." A Select Committee on a Private Bill consists of three members and a chairman. Every member selected to serve on such a Committee must fill up and sign a blank form declaring that his constituents have no local interest, and that he himself has no personal interest, in the undertaking which is the subject of the Private Bill; and that he will not vote on any question which may arise before the Committee

without having heard and attended to the evidence. Service on a Select Committee is oftentimes uncongenial and irksome, and a member selected for the duty occasionally tries to shirk it; but he is not allowed to do so without sufficient reason. Any member failing to attend, without a proper excuse, a Committee for which he has been selected, is reported to the House by the Committee of Selection. He is then required to attend in his place in the House and explain his absence from the Committee. If the explanation is not considered satisfactory by the House, he is ordered to attend the Committee; and if he should still prove contumacious, he is brought to the Bar and severely censured by the Speaker, or sent to the Clock Tower, as the House may direct.

In 1860, Sir John (then Mr.) Pope Hennessy was reported to the House for disobedience to the summons of the Committee of Selection to serve on a railway committee. He was ordered to attend in his place in the House and give an explanation. Two days later the Speaker announced that he had received from the hon. member, who was in Cork, a telegram which ran: "Railway committee had escaped my recollection. I most respectfully apologise to the House. I hasten to London without delay." Next day Mr. Pope Hennessy appeared in his place. His explanation was accepted, he was forgiven; but he was directed to attend the Committee forthwith. In 1846, another Irish member, Mr. Smith O'Brien—who two years later was sentenced at Clonmel to be hanged, drawn, and quartered for treason felony, but was subsequently reprieved—refused to serve on a Select Committee as a protest against the Irish policy of the Government of the time. He was committed to the custody of the Serjeant-at-Arms,



and was detained in prison at Westminster for as long as three weeks before the House ordered his discharge.

Members of the Administration do not act on these Select Committees; ex-Ministers are also excused; and professional men, such as doctors and lawyers, or men actively engaged in business of any kind, are rarely called upon to serve. It therefore follows that most of the members who perform this unostentatious, sometimes wearisome and distasteful, but always important and useful work, are the men of leisure and the silent unofficial members who are rarely seen by the public on the larger stage which the House affords.

To such a Committee so selected and so composed a Private Bill, if it be opposed—that is to say, if after the first reading a petition against it has been lodged in the Private Bill Office, in which the petitioners pray to be heard by themselves, their counsel, or their agents—is referred for the consideration of its details. The procedure before the Select Committee partakes more of a judicial than of a legislative character; or perhaps it would be more accurate to say that it is partly judicial and partly legislative. The members of the Committee first sit as judges. They hear evidence on oath on behalf of the promoters and opponents of the Bill; they listen to speeches of counsel; and finally they adjudicate upon the merits of the undertaking. If they find against the Bill—if they decide to report to the House “that the preamble has not been proved”—the Bill is thrown out. But if they declare that the preamble, or introductory portion of the Bill, in which its reasons and intentions are set out, has been proved, they then proceed, in their legislative capacity, to go through the

clauses of the Bill, and approve, amend, or reject as they think proper.

The rooms in which the Select Committee sit are off a magnificent corridor which extends on the third storey along the entire river front of the Palace of Westminster. Access to the corridor is obtained from the Central Hall by a broad flight of stairs. On days the Committees are sitting—the Lords' from 11 to 4, the Commons' from 12 to 4—the long corridor presents a scene of bustle and excitement. It is thronged with parties interested in the Private Bills, and counsel in wig and gown pass to and fro from one committee-room to another. Each room has a distinctive number. One of them, "Committee Room 15," in which were held the famous meetings of the Irish Parliamentary party in December 1891, which culminated in the deposition of Mr. Parnell, will always be an apartment of great historical interest. There are two entrances to each room, one for "Members Only," the other the "Public Entrance;" and at each door also (at which a policeman stands on guard) is a framed announcement, in large letters, of the name of the Select Committee sitting within.

Let us enter one of the nineteen rooms. It is, like all the others, a large and lofty apartment, with windows overlooking the terrace and commanding a view of the river. A table, horse-shoe in shape, fills nearly half the room. The chairman occupies a raised seat at the top of the arc, and his colleagues sit at each side. At a small separate table close at hand is a clerk of the Private Bill Office, who keeps minutes of the proceedings; but the evidence given before the Committee is fully taken by an official stenographer, who sits at a table inside the half-circle and close to the witness-

chair. At the chord of the arc runs a long table for the accommodation of counsel, the Parliamentary agent, and the local solicitors, on behalf both of the promoters and the opponents of the Bill. Behind them stand the witnesses and others interested in the Bill, with occasionally a few members of the general public, who are being shown over the Palace of Westminster by members of Parliament, and some newspaper reporters are at work at a table close to the windows. The walls are generally hung with huge maps showing the route of the proposed railway, canal, or tramway, or plans of whatever scheme may be under consideration, with the aid of which one of the local agents, provided with a long pointer, makes clear for the Committee the evidence of the witness under examination or cross-examination by counsel.

The witnesses, it may be mentioned here, are brought up by the parties interested. As a rule, the prospect of big fees, liberal expenses, and a pleasant holiday in London secures the attendance of witnesses. But if these inducements to give evidence should fail in the case of a person whose testimony, in the opinion of the Committee, is essential to the inquiry, he is reported to the House, and if extreme measures are deemed necessary to compel his attendance, Mr. Speaker issues to the Serjeant-at-Arms a warrant for his arrest.

When the interests involved in a Bill are immense—such, for instance, as those that were affected by the Manchester Ship Canal Bill—the array of counsel at each side is large and distinguished. The Parliamentary Bar, as it is called, is a distinct branch of the legal profession, at which a number of specialists in the law relating to Private Bills practise exclusively. The fees

to counsel at the Parliamentary Bar are large, but probably not larger than the fees frequently paid to counsel who practise before other legal tribunals. A brief fee of from 300 guineas to 500 guineas, and occasionally even 1000 guineas, is paid to eminent counsel, according to the importance of the proposed undertaking, and the ordinary refresher ranges from 35 to 50 guineas a day. Indeed, the chairman of the Manchester Ship Canal stated in a speech delivered during the protracted proceedings, with varying fortunes, in relation to that gigantic scheme, before six or eight different Select Committees of both Houses, during four or five Sessions, that the promoters paid 30 guineas per hour (or 120 guineas per day of four hours) for each hour the Select Committee sat on the Bill, to four counsel, only one of whom was present at any time in the Committee room. These counsel were retained by parties in other Private Bills which were simultaneously under investigation before other Select Committees; and though they were only able to give a little time to each Private Bill, or else each devoted himself exclusively to one Bill, they were probably paid fees equally as big by all their clients.

Parliament does not encourage the appearance of counsel before Select Committees. This is shown in the scale of Committee charges fixed by both Houses. Promoters of a Private Bill before a Select Committee of the House of Commons, pay a charge of £5 per day if they appear by agent alone, but if they are represented by counsel they pay £10 per day. Opponents, however, pay only £2 per day, whether they appear by counsel or by agent. The charges of Select Committees of the Lords are considerably different; but they exhibit in

even a more marked degree discouragement of the employment of counsel. In the first place, an order for leave for a counsel to appear before a Select Committee of the Lords must be obtained, and for this order a guinea is charged. For the first day's appearance of counsel for the promoters, £7 14s. is charged, and for every subsequent day £3 10s. On the other hand, if the promoters appear only by agent they have not to pay any Committee charges. Opponents represented by counsel pay £10 15s. per day for the first and second days, and £3 10s. for every subsequent day, except for the last day, when the charge is £4 10s. But if opponents appear only by agent they pay £3 3s. for the first and second days, and £1 for every subsequent day. In the Lords' Committees the charges on opponents are much higher than the charges on promoters, while, as we have seen, it is the other way about in the Committees of the House of Commons. Evidently the Lords think opposition to Private Bills ought to be repressed; the Commons, that it ought to be encouraged; but whatever their difference of opinion in this respect, the Houses unite in adding to the expensiveness for both promoters and opponents of the luxury of the advocacy of counsel.

In addition to these Committee charges, promoters of Private Bills have to pay fees, which differ substantially in each House. In the House of Commons the minimum fees are £5 for the presentation of a Bill; and £15 each for the first and second readings, the report, and the third reading. The fees increase according to the amount of money to be raised or expended under the Bill. If the sum be £100,000, and under £500,000, twice the amount of such fees is charged; between

£500,000 and £1,000,000, three times; and over £1,000,000, four times the amount of such minimum fees. The maximum fees on a Private Bill in the House of Commons is therefore £260. In the House of Lords the scale of fees is quite different. For the first reading of all Private Bills a fee of £5 5s. must be paid; the fee for the second reading ranges from £27, the lowest, to £135, the highest, according to the nature of the Bill, and the fee for the third reading is from £10 to £15. Parliament, therefore, derives a substantial revenue from the fees and charges on Private Bills. The aggregate sum for the two Houses reaches £60,000 a year on the average; but while the fees of the Commons go into the Consolidated Fund, those of the Lords are placed to the credit of the "Invested Fee Fund," out of which the retired allowances or pensions of officers of the House are paid. Each House has an official known as the Receiver of Private Bill fees, whose special duty it is to take care that these fees are paid by the Parliamentary agents. If an agent becomes a defaulter in this respect, his name is erased from the roll in the Private Bill Office.

But let us return to the Committee room to see the proceedings before the Select Committee. The voice of counsel is always heard here, examining, cross-examining, or arguing, despite the efforts of Parliament to suppress him. Sometimes the proceedings have that intellectual interest for the casual spectator which is aroused by the contradictory statements of eminent experts on both sides of a question; by a clever cross-examination of these professional witnesses, or by a passage at arms between opposing counsel. But on the whole it is dull work except to those interested in the scheme. The

inquiries are often protracted and tedious. No wonder, then, that members of Parliament, as a rule, desire to escape nomination on these Select Committees. There is a popular belief that they are paid five guineas a day for their attendance, but it has no foundation in fact. The only return they get for their services is the privilege—if it be a privilege—of being able to secure a seat in the House without having to attend at prayers; and it is doubtful whether many of them look upon that as a compensation for the personal inconvenience and discomfort of having to turn up in the Committee room at 12 o'clock, after, perhaps, a late sitting of the House, and listen for four hours to long statements of dull facts and figures, and dry technical details.

Richard Cobden was appointed on a Railway Committee in the Session of 1845, and the letters he wrote to his wife and brother show the exacting nature and the tediousness of the service. He writes to his wife on June 19 :

To-day we have been bored with a three hours' speech from a counsel who would have nothing else to do if he released us from our confinement.

Again, on June 24 :

There never was such a case of petty persecution as I am enduring in this Railway Committee. We have been nearly five weeks sitting, hearing witnesses and listening to the tedious harangues of counsel about a lot of paltry lines among the little towns and villages in Norfolk and Suffolk. I thought we should have got to the end of our work in a fortnight or three weeks, but now we are threatened with another week or ten days. And the great misfortune is that we have no power to put any restraint upon the

tongues of the counsel, who are paid in proportion to the length of time they can waste.

At the same time Cobden was groaning over his misfortunes to his brother, who was communicating to him pressing and unpleasant business affairs :

It is of no use you writing bad news to me. I can't help it while here.

On May 26, he writes :

I am fixed in the Norfolk Committee to-day, and do not feel the least chance of being released for a week, and it may be a month. And for this there is no help, for if I were to leave for twenty-four hours the Serjeant-at-Arms would be after me.

*June 6.*—I am sorry to say it is impossible for me to come down even for a day. Our Committee have determined to sit on Saturdays, and the rule of the House precludes me from being absent even for an hour. God only knows when this odious Committee will come to a close.

*June 19.*—Your letters keep me on the tenter-hooks, for I know not in what extremity you may be placed. I am in the same predicament as ever. The Committee will in all probability last a week more. To-day we have been treated to a three hours' speech by a counsel upon a mere fraction of the group. What makes it more difficult to escape is that the Committee does not give a decision on any part until we have heard the whole, and consequently nobody not acquainted with the evidence already taken could step in to fill my place. Sir Benjamin Hall, very luckily for him, was pitched from his horse on his head the second day of our meeting, and he was excused from further attendance, and as we have nobody else in his place, and as four are a quorum, we cannot proceed to business in the absence of one.



Three members now form a quorum, and therefore only one member can be absent at a time. If two members remain away the sitting is suspended for an hour; if at the end of that time one of them does not turn up, the Committee is adjourned till next day, and unless a reasonable excuse can be given, the name of the absentees are reported to the House. The presence of the members in the Committee room is therefore essential. Whether they closely follow the evidence is another question. On the chairman—generally a man of experience, who has been a long time in the House, and is familiar with the procedure of the Committee on Private Bills—falls most of the burden of the work and responsibility. He certainly gives all his attention to the proceedings. He listens to the arguments and weighs the evidence. But the other members, unless they are most industrious and conscientious, succumb to the prevailing influence of dulness and lassitude, and only keep themselves awake by dealing with the big bundle of correspondence which awaits every member of Parliament—however mute and inglorious he may be—every day that he appears at Westminster. The monotony of the proceedings is not broken even by an adjournment for luncheon. A waiter brings a member on his order a sandwich, or a few biscuits with a glass of milk or a bottle of ginger beer, and this modest, temperate fare is partaken of in the room. Mr. Disraeli once said that a member of Parliament who desired to be a success in the House, should live on Blue Books and biscuit. Of all our representatives the members of Select Committees on Private Bills more closely attain to that ideally heroic state of existence. But, after all, there is some little relief to the tedium of the sitting.

At 3 o'clock one of the messengers of the House pops his head into the room and shouts: "Mr. Speaker at prayers." The members of the Committee do not however join the Speaker at devotions, but should a division take place in the House during the remaining hour the Committee sits, the members jump up at the first sound of the electric bells, rush headlong from the room and down the staircase leading to the Legislative Chamber, and knowing little or nothing, perhaps, of the issue which hangs on the division, pass into the lobby pointed out to them by their respective Whips. After this touching display of devotion to party, the members of the Committee return to their room, and business is taken up at the point at which it was interrupted by the summons of the division bell.

The chief question which a Select Committee on a Private Bill has to decide, is whether the undertaking is for the public benefit. Remuneration for the capital invested, which in most cases is the primary object of the promoters, is a minor consideration with the Committee. "Do the advantages which the scheme offers to the public justify the interference with private rights which its execution involves?" That and that only is the question for the Committee, and when the evidence is concluded, and counsel on each side have been heard, on that issue it deliberates with closed doors. If it decides the question in the negative, the parties are called in and the chairman simply says: "The preamble of the Bill has not been proved to our satisfaction." That is all. A Select Committee on a Private Bill never gives reasons for any decision at which it may arrive. If the Committee decides that the preamble of the Bill has been proved, the clauses are then taken up

and gone through one after the other, as in Committee of the whole House. Amendments may be moved, or new clauses submitted, on behalf of both promoters and opponents ; but, of course, all questions are decided by a majority of the members of the Committee present. The chairman votes in every division, and if the numbers are equal he also gives a casting vote. It is the interest of the community, or the public benefit, that the Committee keeps in view in deciding all questions. It limits the amount of taxes, rates, tolls, or fares which the company may charge the public, and even restricts the profits the company may divide amongst the shareholders.

Having passed successfully through the Committee stage, the Bill is reported to the House of Commons with the minutes of the proceedings before the Select Committee, taken by the clerk ; and, as already described, it is formally read a third time some day, in that calm and placid period of the sitting after prayers. It then goes up to the House of Lords, where somewhat similar experiences await it. Its first reading and second reading are generally mere formal stages, but if it embodies an important scheme, such as the Manchester Ship Canal, which its opponents fight at every point, it is referred to a Select Committee—consisting of a chairman and five other peers, appointed as in the Commons, by a Committee of Selection—before which the same evidence is given, and the same counsel appear for promoters and opponents as before the Select Committee of the House of Commons. The Bill may be rejected by the Select Committee of the Lords. After hearing the evidence they may find that “it is inexpedient to proceed with the Bill ” (the form in which the Lords’ Committee declare

their judgment), and the Bill is accordingly rejected without, as in the case of the Commons, any reasons being assigned. The experiences of the Manchester Ship Canal Bill, before it finally passed through both Houses, were very curious. In 1883, the Bill was introduced in the House of Commons, and passed successfully through all the stages, including a protracted inquiry extending over thirty-nine days before the Select Committee; but at the end of another prolonged inquiry before the Select Committee of the House of Lords it was rejected. In the following Session the Bill was first brought into the House of Lords. It was referred to a Select Committee in the usual course, and this time, after an inquiry which lasted forty-one days, it passed triumphantly through that trying ordeal. After going through all the stages in the Lords, it came down to the Commons, got through its first and second readings in the House, but it came to grief at the end of a twenty-days' inquiry before the Select Committee sitting upstairs. The Bill subsequently passed through the same weary stages in both Houses, and became law—as the existence of the Manchester Ship Canal sufficiently indicates—but the early abortive Parliamentary proceedings added £100,000 to the expenses of the undertaking, and probably cost the railway companies and corporation which opposed it at least the same figure.

However, every Private Bill has not to go through a double inquiry before Select Committees of both Houses. It is only an opposed Private Bill that is referred to a Select Committee, and in most cases the opponents, if defeated before the Select Committee of the House in which the Bill originated, accept that decision and do not push their opposition further. As a rule, it is only

in the case of an undertaking of great magnitude that the opponents use the second Select Committee as a sort of court of review in regard to the decision of the first. The fact that costs are awarded by Select Committees in certain cases tends to restrain vexatious proceedings on the part of promoters and opponents alike. Having passed, then, through one House of the Legislature, the Private Bill is, in the majority of cases, referred, like an unopposed Bill in all cases, to the Chairman of Committees in the Lords, or to the Chairman of Ways and Means in the Commons, and the approval of the one or the other, as the case may be, renders the passage of the Bill through its remaining stages easy and expeditious. Nothing now remains but the royal assent. When that is given, as it is in due course, the Private Bill becomes an Act of Parliament. A Private Act is not published among the statutes of the Session; but the fact that it has been printed by the Queen's printers must be accepted as sufficient evidence that it is an Act by all parties concerned. Every Private Act is, however, enrolled among the records of Parliament.

To accept a bribe for advancing or defeating a Private Bill is punished by expulsion. To solicit a bribe for such a service is visited with imprisonment. Happily, cases of the kind are exceedingly rare in our Parliamentary annals. The last occurred in 1879. In that year the chairman of a Select Committee which sat to consider the Tower High Level Bridge Bill reported to the House that Mr. C. E. Grissell, a member of the House, had represented to the agents conducting the opposition to the measure that he would control the decision of the Committee and would procure the

withdrawal or rejection of the Bill for the sum of £2000. A solicitor named Ward was involved with Mr. Grissell in the charge. Both were found guilty by the House—which, be it remembered, is the “High Court of Parliament”—and the Serjeant-at-Arms was ordered to arrest them and bring them to the Bar of the House for judgment. The Serjeant-at-Arms succeeded in arresting Ward. Grissell escaped to Boulogne, whither he was traced by a messenger of the House, but as the warrant of the House runs only within the kingdom, the absconder could not be apprehended. Ward was brought to the Bar of the House and committed to the Clock Tower during the pleasure of the House. However, after a week’s imprisonment, he sent a humble petition to the House expressing the deepest contrition for his conduct, and was set at liberty. Grissell returned to London two days before the termination of the Session, when he knew any order of the House for his imprisonment would lapse, and surrendered himself to the Serjeant-at-Arms. He was committed to Newgate on August 13, and was released the next day, when Parliament was prorogued; but he was informed he would be arrested again under an order of the House in the next Session. When the House assembled in 1880, he expressed his sincere sorrow for his offence, but he was again committed to Newgate for having previously evaded the warrant of the House. His imprisonment terminated, perforce, at the end of the Session.

Several objections have been advanced, from time to time, against this system of Private Bill legislation. It has been said that the members of Parliament who are nominated on the Select Committees are not qualified by experience and training to act as judges on the matters

at issue, and that the decisions of the Select Committees, being founded on no principles, and bound by no rules of practice, are capricious, uncertain, and often contradictory. On the other hand, it has been contended that an average share of common-sense is alone sufficient to guide a Select Committee to a proper and just decision on the question of public expediency or policy involved in a Private Bill. But the chief objection to the system seems to be its cost. Lord John Russell, in his "Recollections and Suggestions," tells us that "the late Mr. Brassey was enabled to construct a railway from Turin to the Alps at no greater expense than was incurred in carrying a Bill through Parliament to sanction the Great Northern Railway of England." "There can be no doubt," he adds, "that the existing legislation by Private Bills is exceedingly cumbrous and expensive; that great funds are wasted by private interests, and in giving fees to lawyers, which are neither conducive to the public good nor advantageous to property." Many proposals for a reform of the system have been made. It has been suggested (1) that a Joint Committee of both Houses should sit during the autumn and winter months to inquire into the schemes to be submitted to Parliament in the approaching Session; or (2) that three judges should be appointed to do the work of the Select Committees; or (3) that a special Government department should be created for dealing with Private Bills.

But these proposals of reform have hitherto come to nothing. Any of them that has been submitted to either House has been rejected. Parliament has preferred to retain its hold unimpaired in every respect on Private Bill legislation. That the present system is expensive cannot be denied. The average annual

expenditure on promoting and opposing Private Bills in Parliament amounts to about £600,000. But it is doubtful whether any of the alternative schemes would be less expensive than the existing system. Big fees to counsel and expert witnesses form by far the largest items of the expenditure under the system which now exists, and under no possible scheme could the advocacy of lawyers and the evidence of experts be dispensed with. The present system has, on the whole, worked excellently well. During the fifty years of her Majesty's reign, from 1837 to 1887, close on 11,000 Private Bills passed through Parliament. Under these Acts colossal commercial and industrial undertakings have been carried out. The kingdom has been covered with a network of railways and canals; our great cities and towns have been provided with tramways, drainage systems, water, gas, and electric light, promoting, each and all of them, national prosperity, health, and comfort.



## CHAPTER XXIII

## THE DISSOLUTION

EACH House of Parliament can adjourn its proceedings for any period of hours, weeks and days, at its own will or pleasure. This is done by a motion proposed in the usual way, then put from the Chair or the Woolsack, as the case may be, and agreed to or carried on a division. But besides adjournments, there are two other functions known as "prorogation," which brings the Session of both Houses to a simultaneous end, and abolishes all pending legislation; and "dissolution," which terminates the existence of Parliament. Neither House can exercise either of these two functions. They are put into operation solely by the Sovereign.

Before the Revolution of 1688 the only way in which a Parliament could be dissolved was by command of the Sovereign, or by his death. The theory of the Constitution was that as Parliament was a Grand Council which the Sovereign called together to confer with him in matters relating to the government of the realm, he could retain it as long as he liked, or dismiss it when he pleased; and as this invitation to the estates of the realm was supposed to lapse with the death of him who issued it, it grew also into a usage that when a King died Parliament was at once dissolved. But in our more democratic times these theories of the Constitution

have come to be largely modified by written statute and unwritten custom. The Sovereign, living or dead, does not exercise so supreme an influence over the existence of a Parliament ; for a Parliament can now only be dissolved in one of two ways, either by dying a natural death at the end of its prescribed existence of seven years, or by proclamation, issued at any time within the seven years by the Sovereign, on the advice of the Ministers of the day.

Down to the Revolution the only law controlling the royal will in the making or unmaking of Parliaments was that which provided that not more than three years should elapse between the dissolution of one Parliament and the summoning of another. The history of the origin of this law is interesting. In 1629 the merchants of our towns and cities refused to pay two oppressive duties called "tonnage" and "poundage," which were levied by King Charles I. for his own private purposes, without the consent of Parliament. Sir John Elliott, an independent and fearless member of the House of Commons, framed a remonstrance to the King against these duties ; and as the Clerk refused to read it, Sir John read it to the House himself. Mr. Speaker Finch (the subservient tool of Charles I. in the House of Commons) then refused to put the question of the adoption of the remonstrance and said he had a command from the King to adjourn. He then rose and left the Chair ; but he was pushed back into it again, and held there by main force by two members, named Holles and Valentine, until the remonstrance was carried by acclamation. The King was in the House of Lords at the time, and hearing what was passing in the Commons, he sent down "Black Rod," who, in obedience

to the royal commands, carried off the mace, without which the House of Commons cannot be constituted, and thus brought the historic sitting to a close. A few days afterwards, on March 10, 1629, Parliament was dissolved, and was not summoned again until 1640, an interval of eleven years.

The new Parliament was the famous "Long Parliament," which remained in existence for the longest period in Parliamentary history—from 1640 to 1660—which waged war against Charles I., and ultimately consigned him to death in 1649; a portion of which, known as the "Rump," Cromwell turned out without ceremony in 1653, because they were not sufficiently submissive to his will, and which assembled together again, forty-two members all told, seven years subsequently, under the name of Convention, to bring back Charles II. It was only then that the Parliament was dissolved by the new King. One of the first things done by the Long Parliament in 1641 was to pass an Act declaring that Parliament should not be dissolved by the Sovereign without its own consent, and that the Sovereign should not allow more than three years to elapse after dissolution without calling together again the Grand Council of the nation. Three years was a long period surely to leave the people without their Parliament; but it was too brief for Charles II. Learning nothing from the terrible lessons of the past; true to the traditions of the Stuarts, who considered themselves in misfortune and prosperity alike to be above the law, and were sorely impatient of all constitutional restraint, Charles II. had this Act of 1641 repealed in 1664 by his own Long Parliament—the first elected after his succession, which sat for seventeen years—and not only summarily

dismissed a Parliament in 1680, but did not summon another again until 1684. Nowadays the proclamation which dissolves one Parliament commands the immediate election of another; and allowing, as Lord Brougham's Act passed in 1852 prescribes, thirty-five days for the election, fixes the date on which the new Parliament shall assemble at Westminster.

Before the Revolution, then, there was no limit to the duration of Parliament, save the arbitrary will of the Sovereign. A Parliament was long or short according as it obsequiously bowed to the demands of the Throne however unreasonable, or sturdily opposed them. But in 1694, in the reign of William and Mary, an Act known as the Triennial Act, was passed, which provided that no Parliament should last more than three years. So the law remained until the beginning of the reign of George I., when, in 1716, a Parliament, elected to sit for three years under the Act of 1694, prolonged its own mandate to a period of seven years by passing the Septennial Act. It has been repeatedly said that for a Parliament, without appeal to the people, to add four years to the term for which it had been elected was an utter violation of the spirit at least, if not the form, of the Constitution. But such a contention implies the existence of a limit to the power and authority of Parliament. No such bonds or fetters exist within the Constitution. Parliament, as already said, is omnipotent. It has absolute power to pass any law it pleases; but its laws are not immutable. Every one of its Acts is open to revision, and a wet sponge can be wiped across any law at any time by the vote of the transcendent and absolute assembly which has brought all statute law into existence.

The Septennial Act was passed in 1716, to avert a grave political danger. In 1714, when the Elector of Hanover became George I. of England, in accordance with the Act of Settlement, the Constitutional principles which triumphed at the Revolution, and were bound up indissolubly with the Protestant succession to the Throne, were in a very critical plight. The exiled Stuarts were plotting busily to recover the Crown. They had a large following in every part of England; a larger still in Scotland and Ireland; some of the ablest and boldest men in the country were in their service; and hoping to profit by the feelings of disloyalty and discontent which were rapidly spreading on all sides, the Pretender (son of James II.) landed in Scotland in 1715. The rebellion was soon crushed; but the Government feared, with very good reason, that the result of the General Election, which was due in 1717, would be the return of a Tory Parliament pledged to the restoration of the Stuarts, and the consequent destruction of all the popular liberties that had been won in the long and weary and bitter struggles of the seventeenth century. To avoid these calamities the Septennial Act was passed.

The law then was that Parliament, if not sooner dissolved by royal prorogation, or the death of the Sovereign, should expire at the end of seven years. But the reign of George III. witnessed a further change in the law regulating the life of a Parliament. The custom by which Parliament was dissolved on the death of the Sovereign was abolished, and it was enacted that the Parliament in existence at the demise of the King should continue to exist for six months, if not sooner dissolved by the new Sovereign. It was also provided that in case the demise of the Monarch took place

during a dissolution, and before the election of the new Parliament was completed, the old was to be renewed for a period of six months. These Acts, however, are not now in operation. The Reform Act of 1868, repealing all the earlier statutes on the subject, makes the duration of Parliament independent of the demise of the Sovereign. The members of a Parliament in existence at the demise must, however, take a fresh oath of allegiance to the new King or Queen.

But though the law allows seven years as the full life of a Parliament, custom has reduced its average duration to five years. Not a single Parliament has died a natural death, simply by the efflux of its statutory term of existence. Parliaments have been cut short by the fall of the Ministry in office on an adverse vote in the House of Commons; Parliaments have lived close up to the time when the operation of the Septennial Act would have put an end to them, and have then been dissolved on the advice of the Ministers; but no Parliament has been allowed to run to its full course of seven years. No one, therefore, knows what would happen in such a contingency. It is probably the only situation for which the Constitution does not provide.

The duration of Parliament, therefore, often varies. Since the union with Ireland, there have been twenty-six Parliaments. The shortest was that which assembled on December 15, 1806, and was dissolved April 29, 1807, the duration being only four months and fourteen days. The longest was from April 23, 1820, to June 2, 1826, a period of six years, one month, and ten days. In the present reign the Parliaments have been fairly long, but not one out of the thirteen has run its whole possible course of seven years. The longest was from May 31,

1859, to July 6, 1865, being six years, one month, and six days old when it was dissolved. The Liberal Parliament, elected in 1885, though it did not meet until January 12, 1886, was the shortest. It came to an end on the Home Rule question, and was dissolved June 26, 1886, after lasting only five months and fourteen days.

In strict legal theory the right of the Sovereign to dissolve Parliament at his own personal pleasure—that is in complete independence of the wishes of the Ministers—is unquestionable. But it is certain that such action on the part of the Sovereign would be considered nowadays as a breach of the spirit of the Constitution. The last time this prerogative of the Sovereign was exercised was in 1834, when the Melbourne Administration was dismissed by the personal act of William IV., who assumed that it was irreparably weakened by the call of Lord Althorp, the Leader of the House of Commons, to the House of Lords on the death of his father, Earl Spencer.

A change in the composition of the electorate by the passing of a Reform Act is held to necessitate an immediate opportunity being given to the new electors to exercise the franchise. Accordingly, Parliament was dissolved on the new registers after the Reform Acts of 1832, 1868, and 1885 had become law. The efflux of time, and the passing of a vote adverse to the Ministry on some question of importance in the House of Commons, are the only other causes that determine the existence of a Parliament. The exercise of the royal prerogative without the consent of the Ministers may now, practically, be left out of consideration. But the Ministry do not invariably appeal to the country when defeated in the House of Commons on a vital

issue. The alternative of resigning is open to them. By dissolving Parliament the Ministry ask the people to act as judges in the controversy ; to decide the issue in the polling booths. If the country replies by returning a House of Commons favourable to the Ministry, they remain in office ; if the result of the General Election is a triumph for their opponents, the Ministry either resign before meeting the new Parliament or wait until the new Parliament dismisses them by a vote of want of confidence. If, on the other hand, the Ministry decide in the first contingency to resign rather than appeal to the country a new Administration is appointed from the party which has proved itself the stronger in the trial of strength in the division lobbies. It may be asked what rule decides the choice by the Government of one of the two courses open to them when defeated in the House of Commons—resignation or dissolution ? There is no rule or usage. The Ministry are guided solely by party interests. The alternative that seems the better for their party or the more embarrassing for their opponents is the one usually adopted in such circumstances.

Two functions are necessary before the death of a Parliament can be certified. When the Ministry have announced their intention of appealing to the constituencies, the necessary business in both Houses is rapidly wound up. Then Parliament is, in the first place, prorogued or adjourned, and within a few days a royal proclamation is published in the *London Gazette*, finally dissolving it. This proclamation, which is issued by “the Queen in Council,” also summons a new Parliament. The Privy Council, by and with whose advice the Queen issues the proclamation for the prorogation or dissolution of Parliament, is the whole body of the Privy Coun-



cillors in theory, but is practically the Cabinet. The Councils for prorogation and dissolution are attended in person by the Sovereign, who is never present at ordinary meetings of the Cabinet or the Privy Council, a practice due originally to the fact that George II. absented himself from the deliberations of his Council because he was unable to speak the English language. The proclamation dissolving Parliament is so curious and interesting that it is well worth quoting :

By the Queen.—A Proclamation for dissolving the present Parliament and declaring the calling of another.—  
VICTORIA R.

Whereas we have thought fit, by and with the advice of our Privy Council, to dissolve this present Parliament, which stands prorogued to           , the       day of           next. We do for that end publish this our royal Proclamation, and do hereby dissolve the said Parliament accordingly ; and the Lords Spiritual and Temporal, and the knights, citizens, and burgesses, and the commissioners for shires and burghs of the House of Commons, are discharged from their meeting and attendance on the said           , the day of           next. And we being desirous and resolved as soon as may be to meet our people and to have their advice in Parliament, do hereby make known to all our loving subjects our royal will and pleasure to call a new Parliament : and do hereby further declare that with the advice of our Privy Council we have given order that our Chancellor of that part of the United Kingdom called Great Britain and our Chancellor of Ireland do respectively, on notice thereof, forthwith serve out writs in due form, and according to law, for calling a new Parliament.

And we do hereby also by this our royal Proclamation under our Great Seal of our United Kingdom, require writs forthwith to be issued accordingly by our said

Chancellors respectively for causing the Lords Spiritual and Temporal and Commons who are to serve in the said Parliament to be duly returned to, and to give their attendance in, our said Parliament on the       day of       next ; which writs are to be returnable in due course of law.

Given at our Court at Windsor, this       day of       , in the year of our Lord       , and in the       year of our reign.

GOD SAVE THE QUEEN.

But as I have said, before this Proclamation is published the ceremony of prorogation must take place. It is similar in every respect to the function that marks the end of every Session. The five Royal Commissioners take their seats on the bench in front of the uncovered Throne. "Black Rod" is forthwith directed to summon the House of Commons, and within five minutes the Speaker, attended by the Serjeant-at-Arms without the mace, and accompanied by some members—usually few in number on the eve of a dissolution—appears at the Bar. The Lord Chancellor then announces that her Majesty, not thinking fit to be present, had appointed a Royal Commission to give assent to various Bills and "to do all other things in her Majesty's name." But not a word is said about the impending dissolution. The Royal Commission is then read at the table by the Reading Clerk, and the royal assent is given to all Bills that have passed through both Houses.

Formerly at the end of every Session it was the custom for the Speaker to read at the Bar a written speech addressed to the Sovereign recapitulating the labours of the Commons during the Session, and the Lord Chancellor followed with a "Queen's Speech"—a speech, purporting to have been written by her Majesty, but

really, as already explained, from the pen of the Prime Minister—expressing thanks for the supplies granted by “the faithful Commons,” and congratulations on the valuable additions to the Statute Book which the labours of the Session had produced. This speech was subsequently read by the Speaker in the House of Commons. But these two functions have fallen into desuetude in recent years. The speech of the Speaker has been entirely dropped, and there has rarely been a “Queen’s Speech” at prorogation for the past four or five years.

The most historic dissolution of Parliament occurred on the 20th of April 1653, when Cromwell practically kicked the “Rump Parliament” out of the House of Commons. The House was deliberating on a Bill which proposed to give them a more secure tenure when Cromwell resolved to make an end of them. The Lord Protector, having ordered a company of musketeers to follow him, entered the House in plain black clothes and grey worsted stockings, and sitting down, he listened for a while to their proceedings. Hearing at length the question put, that the Bill do pass, he rose, put off his hat, and began to speak. In the course of his address, he told them of their self seeking and delays of justice, till at length Sir Peter Wentworth interrupted him with a remonstrance against such language. Then, blazing up, he said, “We have had enough of this. I will put an end to your prating.” Stepping into the floor of the House, and putting on his hat, he commenced a violent harangue, which he occasionally emphasised by stamping with his feet, and which came mainly to this, “It is not fit you should sit here any longer. You have sat too long for any good you have been doing. You shall now give place to better men. Call them in,” he exclaimed,

and his officer, Harrison, and a file of soldiers entered the House. Then, proceeding, he said, "You are no Parliament. Some of you are drunkards," bending a stern eye on one member. "Some of you are——" (a word expressive of a worse immorality), and he looked at others, "living in open contempt of God's commandments. Some of you are corrupt, unjust persons. How can you be a Parliament for God's people? Depart, I say, and let us have done with you. Go!" He lifted the mace from the table, and gave it to a musketeer to take away. He caused Harrison to give his hand to Speaker Lenthall, and lead him down from the Chair. The members, cowed by his violence, and the sight of the armed men, moved gloomily out of the House. "It is the Lord that has caused me to do this," he said. "I have sought He would rather slay me than put me to such work." Sir Harry Vane ventured a remonstrance. "Oh, Sir Harry Vane," exclaimed the Lord-Protector, "the Lord deliver me from Sir Harry Vane!" When all had gone out, he came out too, and locked the door. From that time he was master of the three kingdoms for about five and a half years.

Another famous dissolution was that which followed on the determination of the Whig Ministry to take the sense of the country on the first Reform Bill in 1830. The second reading of the Bill was carried at three o'clock on the morning of March 23, by a majority of one, in one of the fullest Houses that ever was known, 303 being for the Bill and 302 against it. During April the Bill was slowly and with difficulty making its way through Committee, when the Government made up its mind to dissolve. A Cabinet Council was held on Friday, April 22, at half-past eleven o'clock.

Almost all agreed to go on [writes Brougham, the Lord Chancellor, in his "Memoirs"], though one or two, appalled by the many increasing difficulties, asked if it was too late to reconsider the whole matter. Here I appealed to the Duke of Richmond, and asked him if he had ever seen a council of war held on the field just before going into action. He said "By God, never; neither I nor any one else." Then said I, "Let us go to the King."

The Premier (Earl Grey) and the Lord Chancellor went to the King, and, after a good deal of persuasion, got him to consent to go down and prorogue Parliament in person at two o'clock. "This *coup d'état* was so sudden," writes Greville, "that nobody was aware of it until two or three hours of the time, and many not at all."

The proceedings in both Houses when they met at two o'clock were very violent. By far the best description of the scenes is that by Greville, who gathered the incidents from some of the chief actors.

In the House of Commons [he writes] Sir R. Vyvyan made a furious speech, attacking the Government on every point, and excited as he was, it was very well done. The Ministers made no reply, but Sir Francis Burdett and Tennyson endeavoured to interrupt with calls to order, and when the Speaker decided that Vyvyan was not out of order, Tennyson disputed his ruling, which enraged the Speaker, and soon after called up Peel, for whom he was resolved to procure a hearing. The scene then resembled that which took place on Lord North's resignation in 1782, for Althorp (I think) moved that Burdett should be heard, and the Speaker said that "Peel was in possession of the House to speak on that motion." He made a very violent speech, attacking the Government for their incompetence,

folly, and recklessness, and treated them with the utmost asperity and contempt. In the midst of his speech the guns announced the arrival of the King ; and at each explosion the Government gave a loud cheer, and Peel was still speaking in the midst of every sort of noise and confusion when the Usher of the Black Rod knocked at the door to summon the Commons to the House of Peers.

There [continues Greville] the proceedings were, if possible, still more violent and outrageous. Those who were present tell me that it resembled nothing but what we read of the "*Serment du Jeu de Paume*," and the whole scene was as much like the preparatory days of a revolution as can well be imagined. Wharncliffe was to have moved an Address to the Crown against dissolving Parliament ; and this motion the Ministers were resolved should not come on ; but he contrived to bring it on so far as to get it put upon the Journals. The Duke of Richmond endeavoured to prevent any speaking by raising points of order, and moving that the Lords should take their regular places (in separate ranks), which however is impossible at a royal sitting, because the cross benches are removed ; this put Lord Londonderry in such a fury that he rose, roared, gesticulated, held up his whip, and four or five lords held him down to prevent his flying on somebody. Lord Lyndhurst was equally furious, and some sharp words passed which were not distinctly heard. In the midst of all the din, Lord Mansfield rose and obtained a hearing. Wharncliffe said to him, "For God's sake, Mansfield, take care what you are about, and don't disgrace us more in the state we are in." "Don't be afraid," said he ; "I will say nothing that will alarm you." And accordingly he pronounced a trimming philippic on the Government, which, delivered as it was in an imposing manner, attired in his robes, and with the greatest energy and excitation, was prodigiously effective.

All this time Lord Chancellor Brougham was outside the Chamber awaiting the arrival of the King, and the Woolsack was occupied by the Earl of Shaftesbury. Hearing how matters were progressing in the House, he rushed in, and speaking amid angry cries of dissension, defended the action of the Government in advising the King to dissolve Parliament. He states that he purposely continued speaking until he heard the guns outside announcing the arrival of the King. "Black Rod" stood at his elbow, crying: "My Lord Chancellor, you must come; the King is waiting for you; come along; you must come;" and he was dragged out of the House by the impatient functionary. In the robing room his Majesty asked the Lord Chancellor what all the noise in the House meant; and Brougham replied: "It is the Lords debating, sir." "Hansard" is not strong in descriptive; but this is how it describes the manner in which the Lords debated after the Lord Chancellor had left. "It is impossible to describe the confusion, the noise, the impetuosity, that prevailed from one end of the House to the other. The peeresses seemed alarmed. Some of the peers were, as it appeared in the confusion, almost scuffling, and as if shaking their hands at each other in anger."

However, when the King entered the tumult ceased:

George Villiers said that in his life he never saw such a scene [writes Greville]; and as he looked at the King upon the Throne, with the Crown loose upon his head, and the tall, grim figure of Lord Grey close beside him, with the Sword of State in his hand, it was as if the King had got his executioner by his side, and the whole picture looked strikingly typical of his and our future destinies.

The Commons were summoned to the Bar by "Black Rod," the speech from the Throne proroguing Parliament "with a view to its immediate dissolution," was read by the King, and all was over.

At the prorogation, before dissolution, of the last Parliament, on September 5, 1895, the proceedings were extremely brief and simple. After the royal assent had been given to Bills, the Lord Chancellor announced that in obedience to her Majesty's commands Parliament was prorogued until Monday, November 18. Again not a word was said about the dissolution. The Speaker and the Commons then retired from the Bar. The Lords Commissioners shook hands with the Lord Chancellor, and withdrew to their robing-rooms behind the Throne. The Lord Chancellor gathered up his robes, walked down the floor and disappeared. So far as the House of Lords was concerned the proceedings were over. For the peers the General Election has no terrors. They need have no apprehensions that they may lose their seats; that they may never return to the scarlet benches of the Gilded Chamber. It is true that it is only in virtue of fresh writs of summons from the Crown that they can again take their seats. But under the law these fresh writs of summons cannot be denied to them.

With the Commons, however, it is different. Few of them have any certainty of being able to return again to the Palace of Westminster as members of Parliament. It is not unlikely, therefore, that thoughts tinged with melancholy prevail in that little band of members, which, faithful to the last, follows the Speaker for the last time for that Parliament, from the House of Lords to the House of Commons. The Speaker walks up the floor of the Chamber, bowing to the empty Chair, and

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followed by the Serjeant-at-Arms with the mace on his shoulder. The mace, however, is not laid again on the table ; nor, strangely enough, does the Speaker enter the Chair, to tell the Commons that he has been to the Lords, and that Parliament is prorogued. He walks past the Chair, and lingering in the shadows behind it, shakes hands, and wishes good luck in the coming battle to the faithful few that surround him. Then gathering up his long gown he disappears from the Chamber. The Serjeant-at-Arms, with the mace, is gone also. All is over. It has struck twelve o'clock for this Parliament.

“Who goes home?” shouts the doorkeeper in the lobby. “Who goes home?” echo the policemen in all the corridors. Who goes home, indeed ! Is it not unfeeling—is it not cruel—to talk of home in the circumstances ? It is not home they go—they to whom the question is addressed—but to the North, the South, the East, and the West, to renew the wooing of the electors, to tread again for three weeks that steep and thorny way which leads to a seat in the House of Commons.

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\* In the text this incident is erroneously ascribed to Samuel Wilberforce.









